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THE  
LEGISLATIVE ASSEMBLY DEBATES  
(Official Report)

Volume IV, 1931

*(26th March to 1st April, 1931)*

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FIRST SESSION  
OF THE  
FOURTH LEGISLATIVE ASSEMBLY,  
1931



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# **Legislative Assembly.**

## *President :*

THE HONOURABLE SIR IBRAHIM RAHIMTOOLA, K.C.S.I., C.I.E.

## *Deputy President :*

MR. R. K. SHANMUKHAM CHETTY, M.L.A.

## *Panel of Chairmen :*

DIWAN BAHADUR T. RANGACHARIAR, C.I.E., M.L.A.

SIR HUGH COCKE, KT., M.L.A.

MAULVI MUHAMMAD YAKUB, M.L.A.

RAI SAHIB HARBILAS SARDA, M.L.A.

## *Secretary :*

MR. S. C. GUPTA, BAR.-AT-LAW.

## *Assistant of the Secretary :*

RAI BAHADUR D. DUTT.

## *Marshal :*

CAPTAIN NUR AHMAD KHAN, M.C., I.O.M.

## *Committee on Public Petitions :*

MR. R. K. SHANMUKHAM CHETTY, M.L.A., *Chairman.*

SIR HUGH COCKE, KT., M.L.A.

SIR ABDUR RAHIM, K.C.S.I., KT., M.L.A.

RAJA BAHADUR G. KRISHNAMACHARIAR, M.L.A.

MIAN MUHAMMAD SHAH NAWAZ, C.I.E., M.L.A.



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# LEGISLATIVE ASSEMBLY.

Thursday, 26th March, 1931.

The Assembly met in the Assembly Chamber of the Council House at Ten of the Clock, Mr. President in the Chair.

## THE INDIAN FINANCE BILL—*contd.*

**Mr. President:** The question is:

“That clause 8 stand part of the Bill.”

**Mr. T. N. Ramakrishna Reddi** (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): Sir, I beg to move:

“That for clause 8 the following be substituted:

Excise duty on Kerosene. 8. In section 5 of the Indian Finance Act, 1922:

(a) in the proviso:

(i) After the words ‘duty on’ the word ‘yellow’ should be inserted.

(ii) After the word ‘gallon’ the following should be added, namely:

‘and the duty on kerosene other than yellow kerosene should be levied and collected at the rate of two annas and three pies on each imperial gallon.’

(b) after the explanation the following explanation should be added, namely:

‘*Explanation.*—For the purposes of this item ‘yellow Kerosene’ means kerosene which is not lighter in colour than that prescribed by notification by the Governor General in Council from time to time.’”

Sir, I think, even now, if this excise duty were reduced in the case of yellow kerosene, the Burma Oil Company will reduce the price to what it was before the duty was imposed. They have already raised it by six annas per unit, and if this yellow oil were exempted, they will bring down the rate to the original price, and thus it will be a great help to the poorer people. Of course the Leader of the Opposition has stated that it is very difficult to find out what yellow kerosene is and that he would consider the matter and see if it could be differentiated from white kerosene. But since there is this yellow oil on the market for years, I still insist that this concession should be granted in the case of yellow kerosene.

Sir, I move.

**The Honourable Sir George Rainy** (Member for Commerce and Railways): Sir, the Honourable the Mover of the amendment has I think inadvertently attributed to the Honourable the Leader of the Opposition a statement which I believe I made. I should be very willing to make over the credit for it to my Honourable friend, but I am not sure that he would thank me for it.

• **Mr. T. N. Ramakrishna Reddi:** I meant the Leader of the House.

**The Honourable Sir George Rainy:** Sir, I am afraid I can do no more than repeat what I have already said on two different occasions about this particular amendment, namely, that we are prepared to examine it, but we cannot agree to it at present, not only on account of the loss of revenue it would involve, but also because there are various points which require close study and examination in order to enable Government to make sure what the position would be. In particular it would be necessary to make sure that there might not be difficulties about the test. This colour test sounds plausible enough, but we want time to find out how it would work in practice and whether it would not be necessary to supplement it by some test regarding the chemical composition of the oil. Then, in the second place it is also necessary to examine the question how we could be sure of ensuring that the reduction in duty would be accompanied by an actual reduction in the price. These are the main points, Mr. President, which I have already put before the House on two occasions; and I must again emphasise them and explain that I fear it is impossible for Government to accept this amendment.

**Diwan Bahadur T. Rangachariar** (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Sir, my Honourable friend, Mr. Reddi, recognises that he moves this amendment in conjunction with another and having failed in that he must see that this should fail also. The whole result of this amendment would be, as my Honourable friend would at once see, to put more money into the pockets of the Burmah Oil Company who have not dealt, according to my Honourable friends, fairly with the public, and therefore they are already enjoying the benefit of the difference between the import duty and the excise duty according to the Government proposals, and this will be an additional benefit which my Honourable friend proposes to confer on them. They do not in the least deserve this additional bonus. They have to justify themselves by their conduct in at least restoring the prices of yellow oil to the February level. If they do that, then of course any proposal to give them a bounty in this way may be considered favourably. So long as they do not do that, they must be thankful that the House has not taken away the existing difference. My Honourable friend, the Mover, has brought to the notice of Government that there must be differentiation between yellow oil and white oil if it is possible. And I do not think it is impossible because it is a well-known difference in the market and in fact Government themselves know it. It was in the market before as Victoria Oil and they knew exactly what the people were buying as inferior oil and superior oil. Therefore the Honourable the Leader of the House has exaggerated the difficulties on the part of Government to make this differentiation, because I do urge on them that it will be a great improvement if they can secure a reduction in prices as regards this inferior oil, either by means of a binding arrangement with the Burmah Oil Company, or by means of legislative provision; and having made this, they will be able to enforce it against the company. Sir, I think my Honourable friend has done his duty by drawing the attention of Government to this and it is not necessary for him, if I may say so, to press this to a division.

**Mr. T. N. Ramakrishna Reddi:** Sir, before withdrawing this amendment, I wish to bring up the fact that the Honourable the Leader of the Opposition was not correct in saying that this difference will go to the pockets of

the Burmah Oil Company. The other day the Honourable Member, Mr. Heathcote . . . .

**Mr. President:** The Honourable Member cannot make a speech in withdrawing the amendment.

**Mr. T. N. Ramakrishna Reddi:** No, Sir, I am not making a speech. I was saying that the Honourable Member, Mr. Heathcote, said the other day that he would promise to give the difference to the consumers in case yellow oil is exempted from increased duty. It is on that assurance that I moved this amendment. However, as the Leader of the House has given an assurance that he will consider this question favourably, I beg leave to withdraw this amendment.

The amendment was, by leave of the Assembly, withdrawn.

**Mr. President:** The question is:

"That clause 8 stand part of the Bill."

The motion was adopted.

Clause 8 was added to the Bill.

Clauses 9 and 10 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

**The Honourable Sir George Schuster** (Finance Member): I do not at this stage propose to move that the Bill be passed. I have a Message to deliver. (Hands the Message to Mr. President.)

**Mr. President:** I have received a Message from His Excellency the Viceroy which I propose to read out to the House.

(The Assembly received the Message standing.)

*"I have given most anxious consideration to the position created by the acceptance in the Legislative Assembly of an amendment to the Finance Bill which is estimated will reduce the expected revenue from income-tax for next year by about 240 lakhs of rupees.*

*I fully recognise that the burden of new taxation which the Legislature has been asked to accept can be justified only by most exceptional circumstances of which indeed the Honourable Members are well aware. I appreciate sincerely the co-operation of Honourable Members in having already accepted clauses imposing new and onerous taxation. I also recognise the desire of Honourable Members, in discharge of their duty to those to whom they are responsible, to ensure in these times the utmost measure of economy in the field of administration. But that the Budget of the Government of India for the coming year should be truly and securely balanced in the widest interests of the credit of India will, I am confident, be accepted as essential by the Legislative Assembly not less readily than by myself. The only question therefore at issue is how far it is possible with immediate effect, that is, so as in fact to be operative during the next year, to effect economies which will meet the reduction that has been*

[Mr. President.]

made. After careful re-examination of all material items, I have satisfied myself that the maximum reduction which can be at once effected, mainly by the postponement for a year of important schemes for military re-equipment, is one crore of rupees. To make a larger reduction than this would be to leave in effect an unbalanced Budget and to take risks which I cannot regard as other than dangerous to the essential interests of the country. I therefore feel it my duty to recommend to Honourable Members the acceptance of an amendment which will make a reduction of one crore and which, while leaving a securely balanced Budget, will meet what I feel to be the genuine demand of the House, on the one hand for the enforcement of economy and on the other for the mitigation of the burden of taxation upon the poorest classes of income-tax payers.

In making this recommendation to the House I have sought to reconcile to the best of my ability the necessities of the public service with the expressed desires of Honourable Members, whose earnest attention I accordingly invite to the revised proposal of my Government."

The Recommendation reads as follows:

"In pursuance of the provisions of sub-section (1) of section 67B of the Government of India Act, I, Edward Frederick Lindley Wood, Baron Irwin, do recommend to the Legislative Assembly that it do pass the Bill to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to vary certain duties leviable under the Indian Tariff Act, 1894, to fix maximum rates of postage under the Indian Post Office Act, 1898, to vary the excise duty on motor spirit leviable under the Motor Spirit (Duties) Act, 1917, to fix rates of income-tax and super-tax, to vary the excise duty on kerosene leviable under the Indian Finance Act, 1922, further to amend the Indian Paper Currency Act, 1923, and to vary the excise duty on silver leviable under the Silver (Excise Duty) Act, 1930, in the form hereto annexed."

The Honourable the Finance Member will move the amendment recommended.

The Honourable Sir George Schuster: Sir, I move:

"That for Part I of Schedule IV to the Bill the following be substituted:

*'Rates of Income-tax.*

A. In the case of every individual, Hindu undivided family, unregistered firm and other association of individuals not being a registered firm or a company—

	Rate.
(1) When the total income is less than Rs. 2,000	Nil.
(2) When the total income is Rs. 2,000 or upwards but is less than Rs. 5,000.	Six pias in the rupee.
(3) When the total income is Rs. 5,000 or upwards but is less than Rs. 10,000.	Nine pias in the rupee.
(4) When the total income is Rs. 10,000 or upwards but is less than Rs. 15,000.	One anna in the rupee.'

—and thereafter the rates remaining the same as in the original proposals, namely,—

	Rate.
(5) When the total income is Rs. 15,000 or upwards, but is less than Rs. 20,000.	One anna and four pies in the rupee.
(6) When the total income is Rs. 20,000 or upwards, but is less than Rs. 30,000.	One anna and seven pies in the rupee.
(7) When the total income is Rs. 30,000 or upwards, but is less than Rs. 40,000.	One anna and eleven pies in the rupee.
(8) When the total income is Rs. 40,000 or upwards, but is less than Rs. 1,00,000.	Two annas and one pie in the rupee.
(9) When the total income is Rs. 1,00,000 or upwards.	Two annas and two pies in the rupee.
B. In the case of every company and registered firm, whatever its total income.	Two annas and two pies in the rupee.

In moving this amendment, I am very anxious to explain most clearly to the House what exactly is the effect and significance of our proposals and our reasons for making them. Our proposals in fact amount to a reduction as compared with our original proposals of three pies on the lowest grade, two pies on the next grade and two pies on the next grade, and then from Rs. 15,000 and upwards we propose that the original rates should be retained.

Sir, yesterday the House passed an amendment involving a loss of something like 235 lakhs . . .

**Diwan Bahadur A. Ramaswami Mudaliar** (Madras City: Non-Muhammadan Urban): On a point of order, Sir. May I ask if the amendment can be taken up without proper notice? It has been sprung upon the House, and we should like to have the usual notice to consider the effect of the amendment.

**Mr. President:** The Chair will consider the objection after the amendment is actually moved.

**The Honourable Sir George Schuster:** I was intending to deal fairly fully with the amendment and its merits. I take it it is your wish that I should proceed.

**Mr. President:** Certainly.

**The Honourable Sir George Schuster:** I think the amendment is a very simple one. If I might repeat it again, it is a reduction of 3 pies on the lowest class and 2 pies on the next two classes, and it therefore effects a very substantial relief to income-tax payers up to Rs. 15,000. Sir, yesterday the House passed an amendment involving a loss of something between 235 and 240 lakhs; that is to say, a gross loss of 254 lakhs, less an allowance for refunds. I would like to make some digression at this point to explain the position about refunds, and I would take this occasion to ask any Honourable Members who ever wish to obtain any information to apply to me for that information. It puts me, I think every one will recognise, in a rather difficult position if information is obtained from my office and if I myself have no knowledge of that fact. Now, in the present case it has led to a certain amount of confusion. The position as regards refunds is a very complicated one. The refunds with which we are concerned are those under section 48, refunds in the case of small incomes, and those under section 49 refunds for double income-tax relief. Now, the refunds in the case of small incomes are mainly refunds in respect of the deduction of income-tax from dividends where income-tax has been

[Sir George Schuster.]

deducted at the source at the maximum rate and the receiver of the dividend is either not liable at all or liable only to a lower rate. The question of double income-tax relief arises in the case of those income-tax payers who pay income-tax both in the United Kingdom and India. The largest item under section 48—Refunds at the maximum rate—consists of people who are not liable at all. The next two largest contributions are in the second and third grades in the bottom of the scale. Double income-tax refunds amount to over double the small refunds and occur only in the higher grades of assesses. Now, it is clear that if the rates of income-tax on small incomes are reduced, and if the rates of tax on the higher incomes are increased or not reduced, the amount that we have to allow for refunds is larger than if the rates on the higher tax were reduced; that is to say, if my Honourable friend Sir Cowasji Jehangir's amendment were to stand—according to which he has proposed substantial reductions in the higher grades—while those rates are down by two pies, and if the lower rates also go down by 2 pies, then of course the difference between the higher grades and the lowest grades remains about the same, and the refunds might not be affected. But if we leave the higher rates unchanged and reduce the lower rates, then the reduction of the lower rates is not, as my Honourable friend, Mr. Moore, seemed to suppose, likely to reduce the amount of refunds, but it puts us really in a worse position—it is not only not likely to reduce the amount of the refunds but to increase it, and therefore it puts us in a worse position. That, Sir, I think explains my difficulty in agreeing with my friend's figures yesterday. His figures might have been perfectly all right if the amendment was taken as a whole, but if you take it slab by slab, you cannot tell exactly what the effect of refunds in the case of each slab is going to be unless you know what the rate of tax in the highest grades is going to be. Therefore, as a matter of fact in the case of the proposals which I am now putting forward, which mean a reduction in the lowest grades and leave the higher rates untouched, the amount that we shall have to allow for refunds is rather larger than the amount that we allowed in my original proposals, and therefore although in the statement from His Excellency the Governor General the figure of total loss of revenue is given at something like one crore, actually to be exact, I think I ought to allow something like 115 lakhs. However, it is very difficult to argue with exactitude when you get down to amounts of a few lakhs, and I propose in the course of my remarks today to treat the cost of these amendments that we are proposing as coming to something like 105 lakhs. I am really taking a risk to the extent of about 10 lakhs in doing so.

Now, Sir, to revert to the amendment which was passed by the House yesterday . . . .

**Diwan Bahadur T. Rangachariar:** On a point of order, Sir. The Honourable Member has sufficiently explained to us the scope of the amendment. I wish, Sir, now to take formal objection under Standing Order No. 46. It says this:

"(1) If notice of a proposed amendment has not been given two clear days before the day on which the Bill is to be considered, any member may object to the moving of the amendment, and such objection shall prevail, unless the President, in the exercise of his power to suspend this standing order, allows the amendment to be moved.

(2) The Secretary shall, if time permits, cause every notice of a proposed amendment to be printed, and a copy thereof to be made available for the use of every member."

Sir, this amendment has just been sprung upon us, and it is a very important amendment. We feel that we should consider this amendment at a party meeting before we can finally offer our opinion thereon, otherwise it will lead to very serious consequences. And, Sir, I think it is not fair to the House that the Government Member should spring on us an important amendment like this without giving us sufficient notice beforehand. So, Sir, I object, under Standing Order No. 46, to this amendment being taken up for consideration without the notice of at least one day as required by the Standing Orders.

**Mr. President:** When the Chair has explained the position, the House will probably be satisfied. The Chair will allow this point to be raised immediately after the Honourable Member has put his amendment before the House. Honourable Members know that this is a recommended amendment, and as such the House should become fully possessed of it before points of order can be raised. When points of order are raised at the proper time, the Chair will give best consideration to them, and will see that Honourable Members have no real cause of complaint. The Chair will see that Honourable Members get sufficient time to consider the matter consistently with the requirements of public interest. The Chair will give Honourable Members an opportunity to raise this point as soon as the House becomes possessed of the amendment. That will be when the Chair intimates to the House that the amendment has been moved.

**Diwan Bahadur T. Rangachariar:** May I point out to the Chair that the Honourable Member is now digressing and refers to what happened yesterday as to the proposals . . . .

**Mr. President:** May I point out to the Honourable Member that the Mover is explaining the reasons why this recommended amendment should be accepted by the House. I hope Honourable Members will not mind a few minutes more when they will become possessed of the amendment.

**Diwan Bahadur T. Rangachariar:** Under the Standing Orders we have to object to the moving of the amendment. If you will kindly look at the Standing Orders, it says that we have to object to the moving of the amendment, and not after it is moved.

**Mr. President:** I understood the Honourable Member to say that if reasonable time was given to the House there would be no objection to considering the amendment. I do not think that the Honourable Member desires that the amendment should be moved now. If that is his view . . . .

**Diwan Bahadur T. Rangachariar:** That is my objection.

**Mr. President:** If that is his objection, I should like to invite his attention to the procedure which has been constantly followed in this House, namely, that unless public interest is in any way vitally affected, amendments are allowed to be moved even without notice. There have been repeated instances of that kind. I desire that the amendment should be moved, and after that to consider the wishes of Honourable non-official Members in regard to what would be sufficient time to consider it.



**Diwan Banadur T. Rangachariar:** I would certainly bow to the view of the Chair, but unfortunately, as it happens, you take the consent of the House for adjourning or not, or for adjourning consideration. That places us in an awkward position. If you, as President in charge of the Debates, will promise us sufficient time to consider this most important amendment, then I will not take the formal objection; otherwise, I am bound to take exception which I am entitled to under the law.

**Mr. President:** I hope the Honourable Member realises that under the law discretion vests in the President to allow an amendment or not. When I am asking the views of the House, I am clearly aware of the provisions of the law. I have recognised that, in the public interest, Honourable Members should get sufficient time, and I propose to give them sufficient time, which in my opinion is fair and reasonable for the consideration of the amendment.

**The Honourable Sir George Schuster:** I should be very grateful if you would allow me to make a suggestion in this case . . . .

**Mr. President:** I have already assured Honourable Members that I propose to give them reasonable time to be able to discuss this question.

**The Honourable Sir George Schuster:** I only intended to place before you a consideration from my side which really agrees with the wishes of Honourable Members opposite. From my own point of view, I had intended to deal very fully with the merits of this proposal, and I should personally prefer to be able to deal with the merits as a preliminary to the discussion of the proposal . . . .

**Mr. President:** I have decided to allow the Honourable Member to place his amendment before the House. After the amendment has been moved, I will consider what further procedure should be followed, and on that question I will allow a very limited number of Honourable Members to express their views.

**The Honourable Sir George Schuster:** May I take it that you would allow me to make certain remarks afterwards after the point of order has been discussed?

**Mr. President:** As to when this amendment should be considered. At present I should like the Honourable Member to place his amendment as a whole before the House.

**Mr. R. K. Shanmukham Chetty** (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): On a point of procedure, Sir, may I suggest for the convenience of my Honourable friends,—the Honourable the Finance Member is now making a speech in support of the amendment, and you have very kindly told the House that, after this amendment has been moved, you will give Honourable Members reasonable time to consider the amendment before it is discussed. But, Sir, in the sudden shock, as it were, that has been caused by the springing of this amendment on the House, I think that I am not in a position to follow the speech of the Honourable Member, and that is the state of mind of many other Honourable colleagues of mine. Therefore, what I would respectfully

suggest is this. If you think that you should allow the Honourable Member to move his amendment and dispense with the period of notice, I suggest that he may be allowed to move the amendment, and then you may give us what you consider to be reasonable time for consideration. Later on, when we meet, it will be the proper time for the Honourable Member to explain his amendment, because we will be in a position then to rivet our attention on his speech.

**The Honourable Sir George Rainy:** I think that the suggestion made by my Honourable friend, Mr. Shanmukham Chetty, is one well worth consideration. I think that it would be for the convenience both of my Honourable colleague, the Finance Member, and of the House if the detailed explanation of the amendment were given after Honourable Members had had time to study it, and thereafter the discussion would follow immediately upon the explanation.

**Mr. President:** I take it that it is suggested that there should be a special procedure on the present occasion, namely, that the Honourable the Finance Member should be asked to formally move the amendment without any speech. In that event, the Honourable Member will have the right of giving full explanation afterwards, when the House meets again to consider it. (*Several Honourable Members:* "All right.") I take it that the House desires that the Honourable Member should be requested to place his amendment formally before the House and to reserve his remarks for the time when it is decided that the House should discuss it. In that case, the Honourable Member will not be barred from giving all his reasons in favour of the amendment. I take it that that is the view generally held in the House.

**Diwan Bahadur T. Rangachariar:** We are considering.

**Sir Hari Singh Gour** (Central Provinces Hindi Divisions: Non-Muhamadan): The other view that might be taken on this side of the House is this. The Honourable the Finance Member may complete his statement, and after that statement is completed, we shall retire and consider his whole amendment coupled with the reasons which he gives for the amendment. Then we shall be in a better position to discuss and dispose of that amendment than if the Honourable the Finance Member divided his whole amendment coupled with the reasons which he gives for the afterwards. We should like to hear the whole speech and see what his reasons are, and then we shall retire and consider this question.

**Mr. President:** There seems to be considerable difference of opinion among the Leaders of the Nationalist Party. (Laughter.)

**Mr. C. C. Biswas** (Calcutta: Non-Muhammadan Urban): And also among the rank and file.

**Sir Hari Singh Gour:** So far as the Leaders are concerned, we are now agreed upon this procedure which I have suggested.

**Mr. President:** I should like to hear what Sir Abdur Rahim has to say as Leader of the Independent Party.

• **Sir Abdur Rahim** (Calcutta and Suburbs: Muhammadan Urban): So far as our position is concerned, I must say this. As my Honourable friend, Mr. Chetty, has pointed out, we all have been taken by surprise.

[Sir Abdur Rahim.]

and it has really been in the nature of a shock. There can be no doubt about that. As regards the procedure to be observed, what I should suggest is this. If the Honourable the Finance Member wishes to explain the position fully, then there ought to be no more speech afterwards by him on this subject.

**Mr. President:** That is so, of course. That is what I have suggested.

**Sir Abdur Rahim:** But if he only wishes to explain what the general effect of the amendment would be in a formal way, that is another matter. I think he is entitled to do that, and he ought to do that—formally point out what the general effect of the amendment would be,—but if he makes any speech now, then he ought not to be allowed to make a second speech.

**Mr. President:** That is what I have suggested.

**Sir Abdur Rahim:** There is another thing which I must point out. We must have sufficient time. Some of the Honourable Members thought that the most important business of the session was really finished by yesterday's debate and division and have actually started for their homes and we are in a very false position indeed. It would be very difficult for us to discharge our duties to the public unless we have sufficient time and I would suggest for your consideration and of the Treasury Benches whether it should not be postponed in that case to, say, next Monday, when we can get all our Members together.

**Mr. Muhammad Yamin Khan** (Agra Division: Muhammadan Rural): I think the procedure which you suggested in the beginning was more reasonable—that the Honourable the Finance Member may place his views fully before the House, so that we may be able to judge how far circumstances allow us to modify the views which had been expressed yesterday. If the Finance Member places his views fully before the House, then the House will be in a position to judge what are the real difficulties which we have to meet and we shall be able to come to a decision. It would not be right for him to move his amendment simply and then make a second speech which may not be properly understood or appreciated.

**Mr. President:** I am not yet quite clear on the subject. Do Honourable Members desire that the Finance Member should be requested to place his amendment with his observations in full or do they desire that he should merely formally move it and make his speech afterwards.

**Diwan Bahadur T. Rangachariar:** He is already half way through. Let him finish.

**Sir Cowasji Jehangir** (Bombay City: Non-Muhammadan Urban): On this important question . . .

**Mr. President:** I want an answer only on that one issue. I do not want anything more.

**Sir Cowasji Jehangir:** Before we can answer that question, we want answers to other questions. The question I desire to ask is, what is the procedure Government intended to adopt on this occasion? If we know what they intended to do, then we can make a suggestion to alter it. All we know is that the Finance Member is on his feet moving an amendment.

What does he propose to do after he has moved it and explained it? I am not sufficiently familiar with the rules of this Honourable House as to be acquainted with an unprecedented procedure of this sort. Under what rule is he moving it? Secondly, what are our privileges? Can an amendment be moved to his amendment, and thirdly, how much time do Government desire to give us to consider the amendment. If we have answers on these points, we can immediately decide whether the Honourable Member should proceed with his speech just now and give us his full explanation and let us know what is exactly in his mind. If he moves the amendment and then comes forward and says that we must go on with the work in 2 or 5 or 6 hours, then we shall have to consider the position. We want to know what Government intended to do.

**Mr. Amar Nath Dutt** (Burdwan Division: Non-Muhammadan Rural): Before any further discussion takes place, I beg to enter my emphatic protest . . . .

**Mr. President:** This is not the stage for that. The Leaders of Parties have already expressed their views in regard to the one point of procedure about which I have consulted the House. Sir Cowasji Jehangir wants to get certain information. The Act, the Rules and Standing Orders are quite clear on the subject. When this recommended amendment is moved, the House is entitled to reject it or to pass it.

**Sir Cowasji Jehangir:** When?

**Mr. President:** When the amendment is placed before them for consideration. If the House rejects the amendment, then the Chair certifies that the recommended amendment has been rejected. These questions do not arise on the present occasion. I am merely consulting the House as to which of two alternatives should be adopted. The issue is whether the Finance Member should now complete his observations or reserve them till a later stage. The Chair will then consider how much time is required for Honourable Members to consider it. I think it is a very simple point and I am inclined to think. . . . .

**Sir Abdur Rahim:** We have not got an answer to one question which is for you to decide. Can we move an amendment to the recommended amendment?

**Mr. President:** That is a point of procedure which would arise later. His Excellency the Viceroy has recommended the amendment and the House has got to consider it. I take it that it is the general view that the Honourable Member should be allowed to have his full say now and then time should be given to Honourable Members to consider not only the amendment but the observations which the Honourable the Finance Member may make. I will allow the Honourable Member to have his full say.

**Mr. R. K. Shanmukham Chetty:** Do we take it then that the objection that was raised formally under the Standing Order has been over-ruled by you and that you have waived the provision of two days' notice in the case of this amendment.

**Mr. President:** This is a special case. I have allowed the Honourable the Finance Member to move his amendment and then in consideration of the fact that no notice has been given, I propose to give Honourable Members reasonable time to consider the question.

**The Honourable Sir George Schuster:** I was on the point of explaining that the loss of revenue involved in the amendment which was passed yesterday was something like 235 or 240 lakhs. I will take for the purposes of my present statement the lower figure of 235 lakhs. Of this sum of 235 lakhs, 145 falls on incomes up to Rs. 15,000 and 90 on incomes of Rs. 15,000 and over and of that 90, at least one half is from incomes of one lakh and over. I mention the figures, because I want the Assembly to appreciate exactly what was the effect of the amendment passed yesterday. Now, I made the point yesterday that it would be a very strange result—and a result which would create a most regrettable impression outside—if this Assembly, having passed the customs proposals which do hit the poorer classes, were to effect relief only for income-tax payers, including as an important part of that relief, the richest classes. That in effect is what was done by the amendment passed yesterday. Now, Sir, this is more than a mere debating point, for it goes to the very root of our whole proposals in this year's Budget. At one stage in the debate one speaker, my Honourable friend, Mr. Heathcote, criticized my Budget proposals because of their very simplicity, and he said that they looked as if I had only thought about them an hour before making my Budget speech. That was a very untrue statement of the position: the proposals which I put before this House represented a complete plan, a very carefully thought-out plan, a plan which aimed at balancing the burden, as far as possible, in an equitable way, leaving no class wholly unaffected and including, I have to say with regret, the very poorest classes, but justifying that feature by the fact that a very much heavier burden, measured according to its just proportion, had been imposed upon the well-to-do, and especially upon the richer classes. Now that balance has been rudely upset by the amendment passed yesterday, and we cannot regard that upsetting of the balance as anything but wrong. But, so far as possible, even if we think it wrong, we must bow to the expression of public opinion in this House. That is our position. We cannot, under the present constitution, appeal to the country, and I would ask Honourable Members to appreciate the fact that the present constitutional position, which they feel to be very unsatisfactory, cuts both ways.

**Sir Gowasti Jehangir:** You should appeal to the country. You would get your answer very soon.

**The Honourable Sir George Schuster:** The Honourable Member knows, that we have at present no means of divesting ourselves of responsibility; and unfortunately there is no provision at present by which my Honourable friend can come across and take responsibility for the effect of the proposals which he has made. I do not defend that position; I am merely pointing out to Honourable Members that it cuts both ways and puts us in a difficulty as much as them. We have to try to meet the expression of public opinion as given to us by Honourable Members opposite as far as possible, and that is what we have done. What we propose now—for we have felt that the main point made—the essence of the argument—was that the burden on the lower classes was too heavy—what we have done now is to go as far as we possibly can—and I think myself beyond the limits of what real caution would have dictated—to relieve the burden on the lowest classes. What we now propose is to reduce the increase of the tax on incomes up to Rs. 5,000 from four pies to one pie only, that

is to say to reduce it to one-quarter of our original proposals, and then to reduce the increases on the next classes from Rs. 5,000 to Rs. 10,000 and from Rs. 10,000 to Rs. 15,000 from five pies to three pies. Beyond that, as I have said, we cannot go. The general effect of our proposals is—if I calculate accurately—I think to lose something like 115 lakhs to 120 lakhs, making allowance for the very difficult factor of refunds; but, as I have said, I propose to be a bit more optimistic and to take the reduction only as 105 lakhs net. That means that we have given effect to 70 per cent. of the proposal passed yesterday as regards the three lowest classes, but that we cannot sacrifice 90 lakhs to relieve income-tax payers of Rs. 15,000 and over; and recognizing as I do the feelings of Honourable Members opposite in being asked to reconsider their proposals, I still would ask them to reconsider their proposals and to consider really whether, at this very difficult time and taking into account the whole of our scheme of taxation and the burden which it places elsewhere, it is really right and just that at this time we should sacrifice 90 lakhs to help income-tax payers who have incomes of Rs. 15,000 and over. Coming down now to the particular effect, take the class of a man who has an income of Rs. 2,000. He has to face an increase of one pie only. That means that on his income the extra charge per annum is only Rs. 10-6-0. In the next class, from Rs. 5,000 to Rs. 15,000, as I have said, the increase is three pies. If you take a man about half-way up, a man who has an income of Rs. 8,000, the extra amount which he has to pay is only Rs. 125, and extra  $1\frac{1}{2}$  per cent. on his income. This surely cannot be regarded as excessive; for it must be remembered that all these classes do or will get some advantage out of the reduction of prices which must express itself in a reduction in the cost of living, and that a fall in prices which benefits them does nothing but damage the interests of the agricultural producers.

**The Honourable Khan Bahadur Mian Sir Fazl-i-Hussain:** Hear, hear.

**The Honourable Sir George Schuster:** I do think, Sir, that that aspect of the matter ought to be taken into account. Now turning to the effect on Government expenditure, if I take the loss at 105 lakhs, we have to make that up by taking 60 lakhs from the Army, trying to save 15 lakhs from civil expenditure, and absorbing the whole of our 30 lakhs surplus. Now I think that these results are definitely bad; but, in order to meet the wishes that have been expressed, we have got to face them. As to the Army, whatever may be said on the question whether the Army is too large, or whether His Majesty's Government ought to pay a contribution, Honourable Members know perfectly well that those are questions which cannot be tackled now; and I believe Honourable Members will agree that whatever army is maintained here ought, in the interests of the country, to be maintained properly equipped. Now the effect of these proposals will be to delay, perhaps postpone for ever, the proper equipment of the Army. On the civil side, if we cut 15 lakhs, that will leave us in a desperately tight position. I shall have to wait and see how things go during the year, to keep a very close hand on expenditure, and even so, until we see how things are going, we cannot release the full amounts necessary for the full programme of many things, even including that apparently popular item of Civil Aviation. We shall have to go slow there and wait and see how things are going. I dare not respond to the suggestion that was made yesterday by my Honour-

[Sir George Schuster.]

able friend Sir Hari Singh Gour to be unsoundly optimistic in the estimates. If things go well, then I should propose to discuss the situation again at Simla, but at present I dare not take greater risks than we shall be taking by the amendment which we are now proposing. Therefore, I make no secret of it that I think the Assembly have done wrong in forcing us to accept a substantial reduction now. But, having accepted it, we must accept it with a good grace, and I would personally pledge myself to do my utmost not only to see that the accounts are balanced this year, with this reduced provision but that every possible further economy will be effected. I would appeal to the Honourable Members opposite to do their utmost to help me in the retrenchment inquiries which we propose to set on foot. I do not think that Honourable Members can complain of the way in which I have dealt with their wishes in that respect. Everything that they have asked for, every test to which they have put me, to test whether I was genuine in my intention and whether the Government meant business or not,—to every test I have responded. And I think they know that we do mean business and that we look to them to help us in this search for economy. But, however genuine we are, we cannot work miracles, and until I can see my way to balance the Budget, I should be absolutely failing in my duty if I did not put the position clearly before the House and tell them that in seeking to make the cut which they made yesterday, they are really asking the Government to do something which is impossible. Therefore, Sir, just on those grounds I would appeal to Honourable Members not to take their stand on the formal ground that in the exercise of emergency powers, we are trampling on their rights.

Sir, in the course of this debate I have at all stages tried to put the facts as fully, as frankly and as truly as I could before this House. I have not resorted to any of the artifices of parliamentary manoeuvres. I have no doubt that it might have been possible so to arrange things that we might perhaps have got a slight majority. But I have dealt with everything on the floor of this House. No doubt yesterday, if we had liked to take advantage of the formalities of procedure, we might have put Honourable Members opposite into a difficult position. We did not take that opportunity. I was only anxious to see that we should have a genuine discussion and that whatever the formalities might be and whatever difficulties the observance of those formalities might create, they should not be utilised to embarrass Honourable Members opposite in discussing the measure before us in exactly the manner which suited them. I think Honourable Members might recognise that and I would ask them to look upon this as an opportunity to reconsider their decision and to pass a Bill which really does, in effect, achieve what they want, that is to say, the relief of the poorest classes of the income-tax payers. They should not force the Government into an unsound financial position merely for the sake of maintaining their original position or for the underlying cause of relieving a certain class of taxpayers who, however hardly they may be hit, have shoulders broad enough to bear the burden.

**Sir Cowasji Jehangir:** The Honourable Member is completely wrong in making his allegation. He has not improved his position and I absolutely deny the allegation and I am ready to prove it.

**The Honourable Sir George Schuster:** Sir, I have concluded my speech and my Honourable friend will have plenty of opportunity of saying what he wants to say afterwards.

**Mr. President:** Recommended amendment moved:

"That for Part I of Schedule IV to the Bill the following be substituted :

*'Rates of Income-tax.*

A.—In the case of every individual, Hindu undivided family, unregistered firm, and other association of individuals not being a registered firm or a company :

Rate.

- |  |  |
|--|--|
| (1) When the total income is less than Rs. 2,000 . . .                             | Nil.                                   |
| (2) When the total income is Rs. 2,000 or upwards, but is less than Rs. 5,000.     | Six pies in the rupee.                 |
| (3) When the total income is Rs. 5,000 or upwards, but is less than Rs. 10,000.    | Nine pies in the rupee.                |
| (4) When the total income is Rs. 10,000 or upwards, but is less than Rs. 15,000.   | One anna in the rupee.                 |
| (5) When the total income is Rs. 15,000 or upwards, but is less than Rs. 20,000.   | One anna and four pies in the rupee    |
| (6) When the total income is Rs. 20,000 or upwards, but is less than Rs. 30,000.   | One anna and seven pies in the rupee.  |
| (7) When the total income is Rs. 30,000 or upwards, but is less than Rs. 40,000.   | One anna and eleven pies in the rupee. |
| (8) When the total income is Rs. 40,000 or upwards, but is less than Rs. 1,00,000. | Two annas and one pie in the rupee.    |
| (9) When the total income is Rs. 1,00,000 or upwards.                              | Two annas and two pies in the rupee.   |

B. In the case of every company and registered firm, whatever its total income. Two annas and two pies in the rupee."

In order to help Honourable Members, I have asked my office to prepare a statement showing on one sheet in the first column the rate of income-tax originally proposed in the Bill, in the second column the rate which the Assembly sanctioned yesterday under Sir Cowasji Jehangir's amendment, and in the third column the rate which Government now propose in the recommended amendment. This statement will enable Honourable Members to see at a glance the exact position in regard to income-tax. That statement will be handed over to Honourable Members immediately. I should like to know how much time Honourable Members desire they should have to consider it and to make up their minds as to the attitude they will adopt. I may again inform Honourable Members, that the House is entitled to reject the amendment proposed, and, if they have the power to reject it, they have necessarily the power to amend it. Any amendments which Honourable Members may wish to send in will be admitted by the Chair for discussion. I trust that they will be sent in as early as possible.

The only question that remains to be decided is how much time Honourable Members should have to consider it in their party meetings and to form their views as regards the attitude they will adopt in connection with it. The Chair has given best consideration to the matter. At one



[Mr. President.]

time, I thought that if I adjourned the House now till after lunch, it would provide enough time for the purpose. On further consideration it has occurred to me that if I adjourn the House now till tomorrow morning, it will give Honourable Members ample time. I want Honourable Members, both on the Government Benches and on the Opposition Benches, to tell me what they think of that suggestion.

**The Honourable Sir George Rainy:** I would merely say this, that for reasons which have already been sufficiently explained, it is necessary that this Bill should become law by Monday evening if serious loss of revenue is to be avoided. That being so, it is necessary that the Bill should be placed on the table of the Council of State at least by Saturday. Subject to that, it is our wish that Honourable Members of the other side of the House should be given reasonable time to consider the proposals now placed before them.

**Diwan Bahadur T. Rangachariar:** Sir, we were hitherto quite willing to accede to the wishes of the Government Benches to expedite the passing of this Bill so as not to forfeit the additional revenue which has been collected during this month. We were very anxious to help Government to carry the Bill through and in fact we decided in our party meetings that we should help Government, as far as possible. Now, the situation has considerably altered, very seriously altered, so that, speaking on the spur of the moment, I may say that there is no longer any such desire to help the Government to rush through this most important measure as they want to do. If the Bill does not pass through this House in time, the blame is on the Government and Government alone. (Hear, hear.) They are dealing with a House which consists of a majority of elected Members and they, after listening most patiently to the elaborate considerations placed before the House by the Honourable the Finance Member, came to the conclusion they did yesterday. Nothing which the Honourable the Finance Member has said today is new. Everything he had to say had been said on several occasions by the Honourable the Finance Member assisted as he was by the Honourable the Member for Education, Health and Lands. Both of them put all points of view before the House, and I do submit that the question has assumed a different form. We are now, Sir, in your hands. You have decided to exercise your prerogative of allowing this amendment to be moved and if I move a formal motion that the consideration of the Bill be adjourned for two days, my Honourable friend, Sir Lancelot Graham, will at once jump up and say this is a dilatory motion and it is not permitted for recommended Bills. If that is so, we are more so at your mercy and therefore your discretion is to be exercised with due regard to public interest. It is a serious matter for us to consider. Our Benches have been depleted because people never expected this extraordinary course to be resorted to having regard to the fact that a reasonable man like Sir Cowasji Jehangir, a gentleman who has borne the burden of responsibility of the Government of a local Province, a gentleman for whom all sections of the House have the greatest regard, that he, Sir, who is himself a financier, has examined the proposals and come forward with modest proposals which were accepted by the House. Sir, that being the state of the case, I do not think that the time you propose is sufficient for the consideration of this important question. Not only have we to have

party meetings, but we have to have joint party meetings, because it is a serious step if we really refuse or reject the recommended Bill. We owe a great responsibility to His Excellency the Governor General. We do not want to treat his recommendation in a light-hearted fashion. We want to give serious consideration to all the reasons which he has stated. Sir, it is a matter which we do not want to decide in haste and anger, for a great deal of anger has been roused . . .

**Mr. President:** The Honourable Member is making a long speech. I only wanted his opinion regarding the amount of time that should be given for considering the proposal.

**Diwan Bahadur T. Rangachariar:** These are the considerations which I ask you to consider, because we are at your mercy and we ask you to consider these points in considering what time should be allowed. These are all serious matters to be considered. Therefore, I suggest the Bill may be taken into consideration day after tomorrow.

**Sir Gowsaji Jehangir:** I desire to have as much time as possible, without making matters impossible and there are two reasons for the same. One is the Honourable the Finance Member's speech both yesterday and to-day have not improved matters. They have caused a considerable amount of excitement and irritation. We want time to get over that. The speeches that we have heard from the Government Benches have done Government no good. The second reason is that a large number of Members have left Delhi. It is not fair on our part to take action in their absence. These are the two reasons for which I honestly and sincerely hope Government will do their best to give us more time, especially for the first reason that there should be time for all Members to get over this very irritable spirit caused by the words of the Honourable the Finance Member.

**Sir Hugh Cocke (Bombay: European):** Sir, on the actual merits of the difference in rates, the time for consideration or reconsideration does not seem to require a great period because we have been discussing these various rates amongst ourselves for many days. But, of course, on the point of principle, the House has every right to ask for a reasonable time to discuss these matters, and therefore, it is not for us to object to what is a reasonable time, but I do suggest that a reasonable time will be that this Bill should be completed tomorrow.

**Mr. President:** Only one remark the Chair wishes to make in regard to the suggestion that fell from the Leader of the Opposition. The Honourable Member himself admitted that there cannot be any dilatory amendment on this occasion and still his suggestion comes to the same thing. The Chair thinks that Honourable Members will have sufficient time to consider and decide their attitude in regard to the present amendment, if the House is adjourned now till tomorrow.

I will therefore adjourn the House till 11 o'clock tomorrow morning.

The Assembly then adjourned till Eleven of the Clock on Friday, the 27th March, 1931.



# LEGISLATIVE ASSEMBLY.

Friday, 27th March, 1931.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

## MEMBER SWORN:

Mr. Evelyn Berkeley Howell, C.S.I., C.I.E., M.L.A. (Foreign Secretary).

## QUESTIONS AND ANSWERS.

### CARRYING OUT THE TERMS OF THE POLITICAL SETTLEMENT.

1142. \*Mr. Jagan Nath Aggarwal: (a) Will Government be pleased to state:

- (i) whether all persons convicted in connection with the civil disobedience movement of offences not involving violence have been released in accordance with the terms of the settlement announced by His Excellency the Viceroy on the 5th March, 1931;
- (ii) whether all pending cases in connection with the same movement have been withdrawn;
- (iii) whether properties confiscated but not sold have been returned;
- (iv) whether all persons undergoing imprisonment on account of default in payment of fines have been released; and
- (v) whether all punitive posts have been withdrawn and the further realisation of punitive taxes stopped?

(b) If the reply to all or any of the items in part (a) above be in the negative, will Government be pleased to state the cause of the delay in carrying out the terms of the settlement?

(c) Are Government aware that all persons convicted of offences under section 108 of the Criminal Procedure Code and section 124-A of the Indian Penal Code (for making seditious speeches) have not been released and certain Local Governments are making inquiries into such cases?

(d) Have Government considered the question whether such an inquiry does come within the purview of article 13 of the terms of the settlement, and whether these convictions involve anything more than technical violence?

(e) Are Government aware that such delay is causing considerable misapprehension in the minds of the public and is robbing the settlement of a good deal of its grace?

(f) Do Government intend to issue instructions that the settlement should not be carried out in an illiberal and grudging spirit and persons convicted of such offences should be immediately released?

**Mr. O. W. Gwynne:** (a) and (b). I have no detailed information as yet on the several points raised, but I would observe that out of approximately 18,800 persons who were in prison in connection with the civil disobedience movement on the 5th March either on conviction for offences or as under-trials, approximately 16,800 have been released. The Government of India are satisfied that Local Governments have taken and are taking prompt action to give liberal effect to the terms of the settlement, which in several respects are not correctly cited in the Honourable Member's question. In order to avoid misunderstanding, I would observe that the withdrawal of additional police is within the discretion of Local Governments, who will necessarily be guided by the conditions in the areas concerned; it was not contemplated that action in this respect would be taken until Local Governments were satisfied that conditions had returned to normal.

(c) to (f). I would refer the Honourable Member to the reply given by the Honourable Sir James Crerar on the 18th March to Mr. Ranga Iyer's short notice question on the subject.

**Mr. Gaya Prasad Singh:** Are Government aware that there is great dissatisfaction in the province of Bihar and Orissa at the delay in giving effect to the terms of the settlement with regard to the release of political prisoners?

**Mr. O. W. Gwynne:** We have got no information. The figures seem to speak for themselves.

**Mr. Gaya Prasad Singh:** Then may I take it that there are no prisoners in the province of Bihar and Orissa who are still in jail and have not yet been released?

**Mr. O. W. Gwynne:** The total number of prisoners who have been released in the whole of India is approximately 16,800 out of approximately 18,800.

**Mr. Gaya Prasad Singh:** Then am I to take it that there are no such prisoners in the province of Bihar and Orissa who come under the terms of this settlement and have not yet been released?

**Mr. O. W. Gwynne:** I have not got actual information with me on that point.

**Mr. Jagan Nath Aggarwal:** Will the Honourable Member give us the figures with regard to each province separately?

**Mr. O. W. Gwynne:** I have not got them here.

**Mr. Jagan Nath Aggarwal:** Even with regard to the Punjab?

**Mr. O. W. Gwynne:** If the Honourable Member wishes I shall get these figures.

#### TRANSFER OF THE DISTRICT JUDGE OF DERA ISMAIL KHAN FROM THAT DISTRICT.

1143. **\*Mr. Jagan Nath Aggarwal:** (a) In view of the answer to question No. 662, asked on the 19th March, 1930, by Mr. Mukhtar Singh in the Legislative Assembly, will Government be pleased to state if they have considered the question of the transfer of the officer concerned from Dera Ismail Khan?

(b) Are Government aware of the practice prevailing in the Punjab and other Provinces that Government officers are usually kept at a particular station for not more than three years?

(c) Is it a fact that the officer in question has been holding the post of a District Judge at Dera Ismail Khan ever since 8th December, 1925, and if so, are Government prepared to take early steps to transfer him to some other District?

(d) If the answer to the above is in the negative, will Government be pleased to state the reasons?

**Mr. E. B. Howell:** (a) The officer concerned has applied for leave and the question of postings in connection with his relief is being considered.

(b) The practice to which the Honourable Member refers is apparently not an invariable one.

(c) See answer to (a) above.

(d) Does not arise.

**Sardar Sant Singh:** How long will Government take to consider this question, when the first question with regard to this affair was asked by Mr. Mukhtar Singh on the 19th March, 1930?

**Mr. E. B. Howell:** I am afraid I do not quite see the point of the Honourable Member's question.

**Sardar Sant Singh:** The first question with regard to this affair was asked by Mr. Mukhtar Singh and replied to in this House on the 19th March, 1930. May I know how long Government will take to make up their minds about this matter?

**Mr. E. B. Howell:** It is not necessary for Government to make up their minds. The officer concerned is taking leave and therefore removing himself.

**Mr. Jagan Nath Aggarwal:** Had this question anything to do with the taking of leave?

(No reply was given.)

#### CLOSING OF A GATE LEADING TO THE GUJRAT RAILWAY STATION.

1144. **\*Mr. Jagan Nath Aggarwal:** (a) Are Government aware of the fact that the North Western Railway authorities have closed the gate leading to Gujrat railway station and goods office from Phalia, Kunjah, Gujrat Road to all tongas, motors and carts for the last year or so?

(b) Are Government aware of the fact that there are hundreds of villages of Gujrat and Phalia Tehsils on the Phalia Kunjah road whose residents come by this route to catch trains at Gujrat railway station and send or receive goods from Gujrat goods office and tongas, carts and motors had free access to the railway station from this gate since the earliest days of the construction of North Western Railway line 60 or 70 years ago without any interruption or objection by the Railway authorities?

(c) Are Government aware of the fact that the road in front of this gate is the longest and most frequented road in Gujrat District and there are important towns and villages like Kunjah Manowal, etc., on this road and there is a good deal of vehicular traffic direct from Phalia and other important places for Gujrat railway station on this road?

(d) Are Government aware that by the closing of this gate, the people of this area have to go 1 or 1½ mile more to catch a train at the Gujrat railway station or to go to Gujrat goods office?

(e) Are Government aware that this closing of the gate has caused great inconvenience to the people and caused great loss to the Railway income and the lorry traffic has become much more popular?

(f) Are Government aware that the people sent representations to the railway authorities for keeping the gate open to vehicular traffic as before, and the Deputy Commissioner of the District also made such a representation to the authorities?

(g) Are Government going to remove the hardship of the people of that *Ilaga* by allowing the gate to remain open to vehicular traffic as before by ordering its present width to be enlarged by one to two feet by the removal of temporarily erected iron bars?

**Mr. A. A. L. Parsons:** Government have received no intimation of the closing of this gate, but information will be obtained from the Agent, North Western Railway, and I will communicate later with the Honourable Member.

#### REPAIRS AND RENOVATIONS AT THE "EASTERN HOSTEL," NEW DELHI.

1145. **\*Maulvi Muhammad Yakub** (on behalf of Mr. Muhammad Azhar Ali): (a) Will Government please state whether any structural alterations, repairs, renovations, or replacements, are being conducted on the premises of the "Eastern Hostel", i.e., buildings and appurtenances, housing offices, etc., of the Divisional Engineer of Telegraphs, Delhi Division, as also the Central Telegraph Office, New Delhi? If so, what, and what for?

(b) Is it a fact that the floors, etc., at present, are hurriedly undergoing extensive renewals and re-modelling; if so, why?

(c) Are not the floors of 'Eastern' and 'Western Hostels' composed of cemented, concrete structure and similar in constructive detail; if so, what then justifies uprooting and renewing the floors of 'Eastern Hostel'?

(d) What is the capital outlay on the works referred to above in part (a)? Was there any fear of collapse of the floors treated; and was advice of an expert sought, when works were contemplated?

(e) What was the Budget allotment, under the head Works, etc., made by the Divisional Engineer, Telegraphs, Delhi Division, for the official year, commencing the 1st April, 1930?

(f) What was the aforementioned official's net cash balance under the above heading on the 1st March, 1931?

(g) What was the said official, above, due to lapse or surrender Government but for the expenditure incurred above?

(h) What justifies the initiation of the works aforementioned, which have been undertaken, when finances are at its lowest ebb, and the year at its last lap?

**Mr. J. A. Shillidy:** (a) Only special repairs are being carried out, as the state of the building necessitated such repairs.

(b) No.

(c) Yes. Only a small portion of the flooring in the Eastern Hostel has been renewed on the advice of the Public Works Department.

(d) There is no capital outlay involved in this case. The work is being carried out by, and on the advice of, the Public Works Department Officers who are experts.

(e) Rs. 72,900 was the total annual grant for the ordinary and special repairs of all Postal and Telegraph buildings in New Delhi.

(f) Rs. 3,653 was the net unspent amount of the grant on the 1st March, 1931, excluding amounts *subsequently* surrendered by the Public Works Department.

(g) About Rs. 18,000.

(h) The special repairs in question were initiated in November, 1930, and sanctioned in January, 1931. The rest of the question has been answered under (d).

**Maulvi Muhammad Yakub:** May I know who is the official expert who gave advice about these repairs?

**Mr. J. A. Shillidy:** The Superintending Engineer and the Chief Engineer.

**Maulvi Muhammad Yakub:** I wanted to know the name.

**Mr. J. A. Shillidy:** The Chief Engineer's name is Sir Alexander Rouse.

**Maulvi Muhammad Yakub:** And the Special Engineer who was in charge of these repairs?

**Mr. J. A. Shillidy:** The Chief Engineer is generally in charge.

**Maulvi Muhammad Yakub:** Does the Chief Engineer go through the plans himself and see whether any repairs are required or not?

**Mr. J. A. Shillidy:** Yes, he is generally responsible.

**Maulvi Muhammad Yakub:** My point is, does he himself go through the plans and see whether the repairs are actually required or not?

**Mr. J. A. Shillidy:** It would depend on the amount of work on the building.

**Maulvi Muhammad Yakub:** Was the condition of this building so bad that in this year of bad finance it was necessary to carry out these repairs at the fag-end of the year when the allotments of the last year's Budget were nearly going to be exhausted?

**Mr. J. A. Shillidy:** That was the opinion of our expert advisers.

#### APPOINTMENT OF SUPERINTENDENT OF LIGHTHOUSES IN BOMBAY.

1146. **\*Mr. Gaya Prasad Singh:** (a) Is it a fact that the Collector of Salt Revenue, in the Indian Mercantile Marine Department, is performing the functions of Superintendent of Light Houses in Bombay? If so, what are his technical qualifications, besides the fact of his being an Indian Civil Service man?



(b) Is it a fact that in all ports, the Superintendents of Light Houses are all Members of the Royal Indian Marine, whereas in Bombay alone a member of the Indian Civil Service is carrying on the duty as Superintendent of Light Houses?

(c) Is it a fact that retired Royal Navy Reserve men are generally selected to fill the posts of Port Officers at the various ports? What is the total number of Port Officers, and the total number of men of the Retired Royal Navy Reserve employed as Port Officers? Is it a fact that the salary that these men receive in India is in addition to the pensions they are already enjoying from the Royal Navy in England?

(d) What steps have been taken by Government to Indianise the posts of Port Officers; and will Government be pleased to make a statement showing the progressive Indianisation in this branch of public service, from year to year?

**The Honourable Sir George Rainy:** (a) Yes. The Collector of Salt Revenue, Bombay, does not possess any technical qualifications for light-house work. I may, however, explain in this connection that Superintendents of Lighthouses are only in executive charge of the general Light-house administration within their respective jurisdictions, and are not concerned with the technical supervision of the general lights which is exercised by a separate technical staff. The Collector of Salt Revenue, Bombay, has been appointed Superintendent of Lighthouses in the Bombay Lighthouse District as he had for many years been in charge of the lights in that District before the administration was centralised, and it was considered undesirable for administrative reasons to disturb this arrangement.

(b) Yes. I would, however, observe that there are only six Lighthouse Districts, viz., Aden, Karachi, Bombay, Madras, Calcutta and Rangoon each of which is in charge of a Superintendent of Lighthouses.

(c) The Government of India have Mercantile Marine Offices at the major ports of Aden, Karachi, Bombay, Madras, Calcutta, Rangoon and Chittagong. The Principal Executive Officers at these offices are drawn from the Royal Indian Marine Service and are not retired Royal Naval Reserve Officers. Retired Royal Naval Reserve Officers are employed as Port Officers at some of the minor ports, but such ports are the concern of the Local Governments.

(d) The appointments at the Central Mercantile Marine Offices referred to in the reply to part (c) are reserved for Royal Indian Marine Officers. The progress of Indianisation in these appointments will therefore depend on the progress of Indianisation in the Royal Indian Marine Service. It will be some years before sufficiently senior Indian members of that Service become available for port appointments.

**Mr. Gaya Prasad Singh:** May I take it that the Superintendents of ports do not possess any technical qualifications as mentioned by my Honourable friend with regard to the answer to part (b) of my question?

**The Honourable Sir George Rainy:** A Superintendent of Lighthouses need not have technical qualifications.

**APPOINTMENT ON THE SOUTH INDIAN RAILWAY OF THE SON OF THE SENIOR GOVERNMENT INSPECTOR OF RAILWAYS.**

1147. **\*Mr. B. Rajaram Pandian:** Will Government be pleased to state whether the South Indian Railway has recently appointed the son of the Senior Government Inspector of Railways as a probationary officer in one of the vacancies meant for Indians, and, if so, why and what are his special qualifications?

**Mr. A. A. L. Parsons:** No. The son of the Senior Government Inspector of Railways has been appointed as a pupil candidate. Such appointments in the South Indian Railway are within the competence of the Railway Administration.

**SUBORDINATE RAILWAY ACCOUNTS EXAMINATION.**

1148. **\*Mr. B. Rajaram Pandian:** (a) Will Government be pleased to state whether it is a fact that in the recent appendix D examination of the subordinate Railway Accounts service held in November by the Financial Commissioner of Railways, two question papers, namely, Book-keeping and Traffic Audit, were wrongly set, and if so, what steps do Government propose to take?

(b) Are Government aware of any memorial submitted in this connection to the Controller of Railway Accounts and do Government propose to show any consideration to the candidates?

**Mr. A. A. L. Parsons:** (a) I am informed that a figure in one question in the paper on Book-keeping was misprinted; also certain questions were set in the paper on Traffic Accounts (without books) for answering which accurately books were required.

(b) Certain representations have been received by the Controller of Railway Accounts, who is dealing with them on their merits.

**APPOINTMENT OF INDIANS IN NEW DIVISIONAL OFFICES OF THE SOUTH INDIAN RAILWAY.**

1149. **\*Mr. B. Rajaram Pandian:** Will Government be pleased to state whether it is a fact that new Divisional offices have been opened in the South Indian Railway, sanctioned by the Home Board, and if so, have the authorities appointed any new officers and, if so, how many Indians have been taken in service as officers?

**Mr. A. A. L. Parsons:** The answer to the first part of the question is that a new traffic District was opened at Calicut on the 1st January. I have called for information from the Agent, South Indian Railway, in respect of the remaining parts of the Honourable Member's question and will communicate with him on its receipt.

**TRAINING OF INDIAN UPPER SUBORDINATES OF THE SOUTH INDIAN RAILWAY.**

1150. **\*Mr. B. Rajaram Pandian:** Will Government be pleased to state whether it is a fact that men promoted from upper subordinate to the officer's grade in the South Indian Railway are trained at the Dehra Dun College? If so, will Government please furnish information as to how many Indians have received training during the year 1930, and how many of them have been promoted?

**Mr. A. A. L. Parsons:** I have called for information from the Agent, South Indian Railway, and will communicate later with the Honourable Member.

**BRANCH CITY BOOKING OFFICE AT KUP BAZAR, MULTAN CITY.**

**1151. \*Khan Bahadur Makhdum Syed Rajan Bakhsh Shah:** (a) Are Government aware that a branch city booking office has been opened in Kup Bazar, Multan city, and the Railway Department are going to close it from the 1st April, 1931? If so, why?

(b) Are Government prepared to consider the advisability of issuing instructions to the Agent, North Western Railway, Lahore, by telegram not to close this branch office?

(c) Is it a fact that the public of Multan city have requested the Railway authorities several times to open the branch booking office of Multan city, Kup Bazar, for parcel and luggage traffic as well?

(d) If so, will Government please state what response is being given to this call of the public?

**Mr. A. A. L. Parsons:** Government have received no advice that the North Western Railway propose to close this branch booking office, but at the meeting of the North Western Railway Local Advisory Committee at Lahore on the 21st February, 1931, the Agent of the North Western Railway explained that, in order to meet the present serious financial position, it had been decided to close certain city booking offices. This is a matter within the competence of the Agent, and Government do not propose to issue any instructions.

**THE DELHI POLICE LATHI.**

**1152. \*Mr. Amar Nath Dutt** (on behalf of Rai Bahadur Sukhraj Rai): (a) With reference to the reply to my starred question No. 699 of the 24th February, 1931, have Government taken steps to procure a sample of the Delhi Police lathi?

(b) If so, are they prepared to place it on the table?

**Mr. O. W. Gwynne:** The answer to both parts of the question is in the negative.

**Mr. Amar Nath Dutt:** Why can not a sample of lathi be placed upon the table?

**Mr. O. W. Gwynne:** It is a matter of opinion: a lathi could hardly form part of the proceedings of the Assembly.

**ASSASSINATION OF MR. NAZINI RAM DHAMI IN CALIFORNIA.**

**1153. \*Mr. Amar Nath Dutt** (on behalf of Rai Bahadur Sukhraj Rai): Will Government be pleased to state:

(a) whether they are aware of the great indignation caused in India by the assassination of Mr. Nazini Ram Dhami of the Pacific Coast, Congress Secretary in California?

(b) if so, what steps have been taken by them to trace the culprit?

**Mr. E. B. Howell:** (a) Beyond one reference in the Indian Press and some in the American Press, Government have no information.

(b) The investigation of the crime is the concern of the American Government, who are no doubt taking necessary steps to detect and punish the culprit or culprits.

### BOYCOTT OF CENSUS.

\*. 1154. **Mr. Amar Nath Dutt** (on behalf of Rai Bahadur Sukhraj Rai): (a) Will Government be pleased to state whether there has been any effect of the boycott of census by a large number of people in India on the recent census held on the 26th February, 1931?

(b) Are Government aware that meetings and processions were organised in Bombay and other big cities of India on the night of Census enumeration to engage the people otherwise and to prevent their names being entered in the Census records?

(c) Do Government propose to have a fresh or a revised census to get at the correct figures of population in India?

(d) Are Government aware that in many cases wrong figures have been given by the inmates of the houses?

**Mr. C. W. Gwynne:** (a) and (b). The Honourable Member's attention is invited to para. 3 of the Home Department Resolution No. 45/13/31-Public, dated the 21st March, 1931, on the recent census.

(c) and (d). The answer is in the negative.

**Mr. B. V. Jadhav:** Are Government aware that the enumeration of the Western Hostel in New Delhi was never taken?

**Mr. C. W. Gwynne:** I have no information.

### TIMINGS OF CERTAIN TRAINS RUNNING BETWEEN HOWRAH AND MUTTRA.

1155. **Mr. Badri Lal Rastogi:** (a) Are Government aware that 41 Up and 42 Down Express trains which used to run between Howrah and Muttra over the East Indian Railway have been discontinued from the 1st of March, 1931?

(b) Are Government aware that as a result of the discontinuance of the 42 Down train which used to leave Moghalsraja at 9-10, reaching Bukhtiar-pore Junction at 14-27, passengers going to Arrah, Patna, Bihar, Monghyr, etc., have been put to considerable inconvenience?

(c) Do Government propose to ask the Railway authorities to run the 16 Down Express train over the East Indian Railway an hour earlier or to run the 5 Up Mixed Daily over the B. B. L. Railway an hour later so that passengers getting down from the 16 Down Express and 68 Down Passenger-trains may get corresponding train at Bukhtiar-pore Junction?

**Mr. A. A. L. Parsons:** (a) Yes.

(b) Government are not aware that this is so.

(c) The Honourable Member's suggestion will be communicated to the Agent of the East Indian Railway and to the Managing Agents of the Bukhtiar-pur Bihar Light Railway.

## PROVINCIAL AND CENTRAL SUBJECTS.

1156. \*Mr. Badri Lal Rastogi: (a) Will Government please lay on the table a statement showing which subjects are provincial and which central?

(b) Is it a fact that the Government of India have got complete control over the provincial subjects?

(c) If the answer to part (b) is in the affirmative, are Government prepared to remove the grievances of the public regarding the provincial subjects? If not, why not?

Mr. C. W. Gwynne: With your permission, Sir, I propose to reply to questions Nos. 1156 and 1157 together. I would invite the Honourable Member's attention to section 45-A of the Government of India Act, the Devolution Rules made thereunder, and the Schedules attached to those rules. The Honourable Member will find there all the information he is seeking.

## ALLOTMENT OF CENTRAL REVENUES FOR PROVINCIAL SUBJECTS.

†1157. \*Mr. Badri Lal Rastogi: (a) Is it a fact that the Government of India have got powers to refer the grievances of the public to the Local Government for redress?

(b) Is it a fact that when the Local Governments are unable to remove the grievances of the public owing to lack of funds, the Central Government can help it with sufficient grants to do so?

(c) Will Government please state the circumstances under which it can help the Local Government with funds in the subjects which are provincial?

## STATE OF EDUCATION IN VARIOUS COUNTRIES.

1158. \*Mr. Badri Lal Rastogi: (a) Will Government please state what is the average education of males and females, in India, England, Germany, America, Japan, Canada and Australia?

(b) Will Government please state the countries of Europe where free and compulsory education has been introduced by the States?

(c) Will Government please enumerate the countries where the State has not introduced free and compulsory education?

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: (a) If the Honourable Member will indicate precisely what he means by the phrase "average education of males and females", I will endeavour, as far as possible, to furnish the information which he seeks. In case he wishes to know merely the extent of literacy among males and females in various countries, his attention is invited to the article on *Illiteracy* on page 94 of Volume 12 of the Encyclopædia Britannica, 14th edition.

(b) and (c). A statement giving the information asked for, so far as it is readily available, is laid on the table.

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†For answer to this question see answer to question No. 1156.

STATEMENT.

*Countries in which primary education is either free or compulsory.*

Name of Country.

Whether primary education is  
free or compulsory.

(a) *European countries.*

1. Austria	Compulsory.
2. Belgium	Compulsory and free
3. Bulgaria	Compulsory and free.
4. Czechoslovakia	Compulsory.
5. Denmark	Compulsory.
6. Iceland	Compulsory.
7. Ireland	Free.
8. Estonia	Compulsory and free.
9. France	Compulsory and free.
10. Germany	Compulsory.
11. Great Britain	Compulsory and free.
12. Greece	Compulsory.
13. Hungary	Compulsory.
14. Italy	Compulsory and free.
15. Luxemburg	Compulsory.
16. Netherlands	Compulsory.
17. Norway	Compulsory.
18. Poland	Compulsory and free.
19. Portugal	Compulsory.
20. Rumania	Compulsory and free (wherever there are schools).
21. Soviet Russia	Compulsory.
22. Spain	Compulsory and almost free.
23. Sweden	Compulsory and free.
24. Switzerland	Compulsory and free.
25. Yugoslavia	Compulsory and, in schools under the Ministry of Education, free.

(b) *Other countries (excluding the British  
Empire).*

1. Afghanistan	Compulsory and free.
2. Argentine Republic	Compulsory and free.
3. Bolivia	Compulsory and free.
4. Brazil	Free.
5. Chile	Compulsory and free.
6. Costa Rica	Compulsory and free.
7. Cuba	Compulsory and free.
8. Dominican Republic	Compulsory and free.
9. Ecuador	Compulsory and free.
10. Madagascar	Compulsory.
11. Haiti	Compulsory and free.
12. Honduras	Compulsory and free.
13. Japan	Compulsory.
14. Panama	Compulsory.
15. Paraguay	Free and nominally compulsory.
16. Peru	Compulsory and free.
17. Salvador	Compulsory and free.
18. Turkey	Compulsory (nominally).
19. Uruguay	Compulsory.
20. Venezuela	Compulsory and free.
21. United States (America)	Compulsory and free.

Name of Country.	Whether primary education is free or compulsory.
(c) <i>British Empire (outside Europe).</i>	
1. Ceylon . . . . .	Free in vernacular schools.
2. India . . . . .	Compulsory and free in certain areas.
3. Straits Settlements . . . . .	Compulsory and free (for Malays).
4. Zanzibar . . . . .	Free. (Subjects of H. H. the Sultan are liable to compulsion).
5. Mauritius . . . . .	Free.
6. South Africa . . . . .	Compulsory and free in certain provinces.
7. Bermuda . . . . .	Compulsory.
8. Canada . . . . .	Free.
9. Australia . . . . .	Compulsory and free.
10. New Zealand . . . . .	Compulsory and free.
11 Nauru Island . . . . .	Compulsory.

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*N. B.*—This statement is based on the information available in various reference books. It is not possible to say whether primary education is not free or compulsory in the countries which are not included in it.

#### GOVERNMENT OF INDIA GRANTS TO THE PROVINCE OF BIHAR AND ORISSA.

1159. \*Mr. Badri Lal Rastogi: (a) Will Government please state how many grants have been given by the Government of India to the Province of Bihar and Orissa towards the different subjects during the period of five years?

(b) Is it a fact that some grants towards some subjects are under contemplation of the Government of India?

The Honourable Sir George Schuster: I am afraid I do not understand the question, but if the Honourable Member will speak to me I will endeavour to give him the full information which he requires.

## STATEMENTS LAID ON THE TABLE.

### OCCUPATION OF PESHAWAR AND SURROUNDING VILLAGES BY THE MILITARY.

**Mr. E. B. Howell** (Foreign Secretary): As promised by Mr. Acheson in his reply to a supplementary question, I lay on the table the answer to starred question No. 711 asked by Shaikh Sadiq Hasan on the 25th February, 1931.

#### "Question.

**\*Shaikh Sadiq Hasan** : Will Government be pleased to state :

- (a) the number of times Peshawar was occupied by the Military from April 23rd 1930 to June 1930, and the duration of each occupation; and
- (b) the number of times and the names of villages and towns adjoining Peshawar which were occupied by the Military during the same period?

#### Answer.

**Mr. J. G. Acheson** : (a) Peshawar was occupied by the Military forces twice : on April, the 23rd, for two days, and on May, the 4th, for three and a half months.

(b) Villages in the Peshawar district so occupied were : Charsadda and Prang, once, and Utmanzai once."

### NON-PAYMENT OF TAXES IN PESHAWAR AND CIRCULATION OF AN ACCOUNT OF PESHAWAR DISTURBANCES.

**Mr. E. B. Howell** : As promised by Mr. Acheson in his reply to a supplementary question, I lay on the table the answer to starred question No. 712, asked by Shaikh Sadiq Hasan on the 25th February, 1931.

#### "Question.

**\*Shaikh Sadiq Hasan** : (a) Will Government be pleased to state whether there was any organised refusal on the part of landholders in the North West Frontier Province to pay taxes since the commencement of the civil disobedience movement?

(b) Is it a fact that after the Peshawar outrages Mr. F. C. Isemonger, Inspector General of Police, published an account of the tragedy and circulated it privately amongst officials and in certain other circles?

(c) If the answer to part (b) is in the affirmative, will Government be pleased to state whether the expenditure for this Publicity was met out of Government Funds?

(d) In connection with parts (b) and (c) will Government be pleased to state under what rules Governments are permitted to carry on such propaganda?

#### Answer.

**Mr. J. G. Acheson** : (a) There has been no organised refusal on the part of landholders in the North West Frontier Province to pay taxes since the commencement of the civil disobedience movement. The collection of revenue in the Peshawar District, however, is always a matter of difficulty, and defaulters in certain tracts of that district have taken advantage of the state of lawlessness engendered by the recent disturbances to offer passive resistance to revenue demands, and non-payment of revenue has been mooted in meetings and shouted as a slogan by picketters in Charsadda Bazar.

(b) It is not a fact that Mr. Isemonger, Inspector General of Police, either published or circulated privately, an account of the disturbances.

(c) and (d). Do not therefore arise."



### MILITARY BLOCKADE OF VILLAGES IN THE PESHAWAR DISTRICT.

**Mr. E. B. Howell:** As promised by Mr. Acheson in his reply to a supplementary question, I lay on the table the answer to starred question No. 717, asked by Shaikh Sadiq Hasan on the 25th February, 1931, regarding the military blockade of villages in the Peshawar District.

#### "Question.

**\*Shaikh Sadiq Hasan :** (a) Is it a fact that the following villages in the Peshawar District were blockaded by the Military for nearly three weeks :

Charsadda, Prang, Babara, Sangi, Utmanzai, Harichand, Mainay, Topaiy, Maghiz, Torder, Manery, Sawabi, Dargai, Yaruhussain, Lulandai, Nowdeh, Kalukhan, Jamalghari and Adena?

(b) Is it a fact that during the blockade in the following villages Shahkadar, Mainay, Marghur, Torder, Manery, Dargai, Yaruhusain and Jamalghari the Military forces looted the houses, burnt their grain, destroyed household utensils, cut down crops, and carried away the cattle belonging to the villagers?

(c) If so, what action did Government take to (i) punish the soldiers concerned, and (ii) to pay compensation to the victims?

(d) Are Government aware that the houses of peaceful inhabitants including some Numberdars inhabiting the Administered Districts were burnt to ashes and that no one was allowed to quench the fire?

(e) Is it a fact that amongst the houses set fire to are the houses belonging to (i) Ghulam Mohd. Khan of Lond-Khwar, Mardan Sub-division, (ii) Malik Mosum Khan of Takar, Mardan Sub-division, and (iii) Hasham Gul Khan of Takar, Mardan Sub-division?

(f) Is it a fact that many unarmed persons in Takar who came to extinguish the fire set up by the Military with their Machine Guns and Rifles, were wounded and some killed?

(g) Will Government be pleased to state the number of men (i) killed and (ii) wounded?

(h) Are Government aware of a report made about the Takar massacre to the effect that the firing was ordered in response to the shots fired by the public on the soldiers? If so, is the report correct?

(i) Will Government be pleased to state what was the number of casualties on Government side as a result of the shots fired by the public?

#### Answer.

**Mr. J. G. Acheson :** (a) The answer in respect of Charsadda, Prang, Babara (a single village group) and Utmanzai is in the affirmative. In respect of the other villages named it is in the negative. These villages were visited by police supported by troops for a few hours in each case.

(b) The Military did not enter the villages but were used as cordons. In no case were houses looted, grain burnt or crops cut. In a few cases of forcible resistance to arrest by the police it was necessary to break open houses and some minor damage was thus caused. In one case (Shahqadr) cattle were attached in satisfaction of a fine imposed for harbouring hostile Mohmands who fired on Government forces.

(c) Does not arise.

(d) No houses were burned. Two hujras, belonging to Maliks Amin Gul and Masam Khan of Takar, respectively, who had been prominent in the rioting at Gujjar Garhi and were evading arrest, were burnt.

(e) The answer is in the negative. The hujra of Ghulam Muhammad Khan of Lundkhwar was partly dismantled but not burned. As stated above the hujra of Masam Khan of Takar was burned. No injury was done to the hujra of the other person named.

(f) It is not a fact. A number of persons armed with rifles fired on the troops, who returned the fire.

(g) The attacking villagers concealed their losses, but the total casualties in killed and wounded are believed to have been twenty approximately.

(A) There was no massacre at Takkar. The report by responsible officers at the time of the occurrence shows that the troops were fired on first before they returned the fire.

(i) No Government servants were reported injured."

## UNSTARRED QUESTIONS AND ANSWERS.

### RENTS CHARGED FOR MUTTON SHOPS IN PESHAWAR CANTONMENT.

406. **Khan Bahadur Haji Wajihuddin:** (a) Is it a fact that:

- (i) for Government mutton shops in all Cantonments in India fixed rents are levied;
- (ii) in Peshawar Cantonment the right of rent was first sold by auction by the Cantonment authority in 1904;
- (iii) on receipt of complaints from the Cantonment public the system was abandoned in 1906 but remained in force again from 1907 till 1923, when the public objected and the system was cancelled;
- (iv) it was again resumed in 1924 and is enforced till now?

(b) If the replies to the above be in the affirmative, do Government propose to have a uniform system of levying rents enforced in Peshawar Cantonment also and stop the system of auction?

**Mr. G. M. Young:** I am making enquiries and will let the Honourable Member know the result in due course.

### INTRODUCTION OF THE ELECTIVE SYSTEM IN THE PESHAWAR CANTONMENT BOARD.

407. **Khan Bahadur Haji Wajihuddin:** With reference to the reply given by Government to question No. 227, asked by me on the 23rd February, 1931 (regarding the introduction of the elective system in the Peshawar Cantonment Board), will Government be pleased to place on the table the report received from the North West Frontier Province Administration for the information of the House?

**Mr. G. M. Young:** Government are not yet in a position to consider laying any papers on the table, as the matter is still under consideration.

### APPOINTMENT OF MUSLIMS TO GOVERNMENT OFFICES IN THE NORTH-WEST FRONTIER PROVINCE.

408. **Khan Bahadur Haji Wajihuddin:** (a) With reference to the replies given by Government to starred question No. 453, asked by Mr. Muhammad Ismail Khan, on the 12th September 1929, which is to the following effect that:

"No precise proportion has been fixed but every consideration is being paid to the claims of increasingly large number of educated Muslims now available."

and to starred question No. 186, asked on the 29th January, 1931, by Mr. Muhammad Anwar-ul-Azim, will Government be pleased to state, if it is a fact that out of 68, 50, 28, and 162 clerks serving in the offices of the Honourable the Chief Commissioner, Revenue Commissioner, Judicial Commissioner, and Irrigation Department, respectively, the Muslims hold only 20, 13, 7 and 87 appointments respectively?

(b) If reply to the above questions be in the affirmative will Government be pleased to state how many of the remaining appointments, *vis.*, 48, 87, 16 and 75 or whatever the actual number may be are held by the non-residents of the Province?

(c) Is it a fact that 2 non-Muslims were recently recruited in the Honourable the Chief Commissioner's Office, one of whom is a Punjabi?

(d) Do Government propose to consider the desirability of stopping the recruitment of the non-Muslims and of non-residents till the number of the qualified local Muslims reach the desirable limit in the ministerial establishment of the Province?

**Mr. E. B. Howell:** The information has been called for and will be supplied to the Honourable Member when received.

#### FOREST LAND IN NATHIA, NORTH-WEST FRONTIER PROVINCE.

409. **Khan Bahadur Haji Wajihuddin:** (a) With reference to the reply given by Government to starred question No. 452, asked by Mr. Muhammad Ismail Khan, on the 12th September 1929, will Government be pleased to state if it is a fact that the lands on which houses, bazars and other buildings have been constructed in hill stations in India originally belonged to the Forest Department and were subsequently assigned to Municipalities for sale to private individuals, etc., for building purposes?

(b) If reply to the above question be in the affirmative, will Government be pleased to state if there is any reason why the Forest Department has not extended the same facilities in respect of the forest land at Nathia in the North-West Frontier Province?

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** I am trying to get the information asked for by the Honourable Member and will let him know the result in due course.

#### TUBERCULOSIS IN PESHAWAR.

410. **Khan Bahadur Haji Wajihuddin:** (a) With reference to the reply given by Government to starred question No. 455, asked on the 12th September, 1929, by Mr. Muhammad Ismail Khan, will Government be pleased to state if it is a fact that:

(i) about half of the town of Peshawar has been declared by the Chief Medical Officer of the Province as infested with tuberculosis; and

(ii) other towns in the Province have also been infected?

(b) If the reply to the above question be in the affirmative, are Government prepared to consider the advisability of deputing an Indian Senior Muslim Indian Medical Service Officer to be trained on Rockefeller scholarship in a recognised tuberculosis institution in Europe and to hold charge of the special Department to check the spread of the disease in that Province?

**The Honourable Khan Bahadur Mian Sir Fazl-i-Husain:** (a) Government are aware that the town of Peshawar is badly infected with tuberculosis and that other towns in the North-West Frontier Province are also infected with the disease.

• (b) Government will refer the suggestion to the Local Administration for consideration, but must point out that the grant of Rockefeller Fellowships rests entirely with the authorities of the Rockefeller Foundation.

#### APPOINTMENT OF MUSLIMS TO THE MILITARY ENGINEERING SERVICE IN THE PESHAWAR DISTRICT.

411. **Khan Bahadur Haji Wajihuddin:** (a) With reference to my question No. 242, answered on the 2nd March, 1931, will Government be pleased to state whether:

(i) the vacancies were ever advertised for by the Commanding Royal Engineer of the district in a Muslim newspaper inviting applications from the local qualified Muslims or

(ii) the local Muslim Association or Anjumans were ever asked to direct candidates to appear before him for selection to fill up the vacant appointments?

(b) If not, why not?

**Mr. G. M. Young:** The information has been called for and will be supplied to the Honourable Member in due course.

#### PROPERTY ATTACHED TO THE SHRINE OF MIAN UMAR SAHIB.

412. **Khan Bahadur Haji Wajihuddin:** (a) Will Government be pleased to state if it is a fact that the trustees of the estate attached to the shrine of Mian Umar Sahib situated in the Peshawar District have been dispossessed of the landed property under the orders of the Local Government of the Province?

(b) If so, will Government be pleased to state if proceedings required by section 92 of the Civil Procedure Code were followed and decree of the court concerned obtained before taking possession of the said property?

(c) If the reply to part (b) above be in the negative, do Government propose to direct the local authority to follow the authorized procedure in the matter?

**Mr. E. B. Howell:** The Local Administration has been addressed and as soon as a reply is received the information will be supplied to the Honourable Member.

**COMMUNAL COMPOSITION OF THE STAFFS OF CERTAIN OFFICERS IN THE  
NORTH-WEST FRONTIER PROVINCE.**

**413. Khan Bahadur Haji Wajihuddin:** (a) With reference to Army Department Circular No. 33346—1-A.D., dated the 19th November, 1926, will Government be pleased to state:

(i) if the General Officers Commanding the Districts, Officers Commanding the Stations and the executive officers in the North West Frontier Province have ever examined the communal composition of their respective clerical staff after the receipt of the circular order referred to above, and

(ii) if they have ascertained which community required to be more adequately represented in their respective offices?

(b) If the replies to the above questions be in the affirmative, will Government be pleased to state:

(i) which community transpired to be more adequately represented in their offices;

(ii) what steps have been taken by each of the officers mentioned at part (a) (i) to achieve the desired object of Government, and

(iii) with what result?

**Mr. G. M. Young:** I am making enquiries and will inform the Honourable Member in due course.

**INTEREST CHARGED BY PATHAN MONEY-LENDERS.**

**414. Kunwar Raghubir Singh:** (a) Will Government be pleased to state if Pathan money-lenders are charged income-tax in proportion to the income they earn by advancing loans to the public at exorbitant rates of interest, from two to four annas per rupee per month? If not, why not?

(b) Do Government contemplate fixing a limit to the interest that should be charged on loans?

(c) Are Government aware that Pathans' dealing with their debtors are very torturing, especially with defaulters, and that if a man delays payment of this exorbitant interest every month they, before actually suing him, put him to unnecessary and inhuman harassment by getting hold of him in the streets, snatching away his clothes, etc.? What do Government propose to do in this matter?

(d) Are Government aware that the said Pathans never grant a receipt for the amount they receive monthly from their debtors, in payment of principal and interest with the result that, after an extortion for some time, when they lodge a suit, as they mostly do, a decree is passed in which again an exorbitant interest is charged in full from the date of the issue of the pro-note till the date of the decree? Do Government propose to issue instructions to courts to pass decrees, in case of defaulters, only for the principal and such interest as the banks usually charge, and to dismiss suits where exorbitant interest has already been paid by debtors?

**Mr. C. W. Gwynne:** (a) If any man conducts a business of money-lending, it would be the practice of the income-tax authorities to assess him as accurately as possible for income-tax on the profits of such business. Government are not aware that any special method of assessment is utilized in the case of Pathan money-lenders which would have the effect of exempting them from their full liability.

(b) No.

(c) and (d). Government do not propose to take up this matter as they consider that the district authorities are in a position to take suitable action if there are complaints of the nature indicated by the Honourable Member about the methods practised by Pathan money-lenders. Executive instructions by Government in the matter of the rate of interest awarded by the Courts are both inappropriate and unnecessary as the courts already have a wide discretion under the Usurious Loans Act.

#### INDEBTEDNESS OF GOVERNMENT SERVANTS.

**415. Kunwar Raghubir Singh:** Is it a fact that for habitual indebtedness there are some rules to the effect that when a portion of the salary of a Government servant is constantly being attached, or has been continuously under attachment for a period exceeding 2 years, or is attached for a sum which, in ordinary circumstances, cannot be repaid within a period of 2 years, he will be considered liable to dismissal? If so, are Government prepared to change the period of 2 years to that of 4 to 5 years, or to any reasonable time, in order to give such Government servants enough time to recover from their indebtedness?

**Mr. C. W. Gwynne:** The Honourable Member is referred to rule 16 of the Government Servants' Conduct Rules. Government do not propose to make any change in this rule.

#### PROMOTIONS IN THE INDIAN STORES DEPARTMENT.

**416. Kunwar Raghubir Singh:** What procedure as to efficiency, length of service, age or otherwise, will be followed by the Indian Stores Department in the matter of promotions to the 15 per cent. selection grade appointments, recently sanctioned by the Department of Industries and Labour, of Routine Division clerks to whom that sanction applies?

**Mr. J. A. Shillidy:** The Honourable Member is under a misapprehension. There is no intention of creating or sanctioning selection grade posts which have not existed before, but there is under consideration the proposal to take the posts on Rs. 160—5—175 out of a continuous scale with the ordinary grade and to make them a selection grade. The ordinary rules of appointment to selection grade posts will apply to these if the proposal is sanctioned.

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#### SHORT NOTICE QUESTION AND ANSWER.

##### COMMUNAL RIOT AT CAWNPORE.

**Mr. President:** The House will now resume further consideration of the Finance Bill.

**Maulvi Muhammad Yakub:** Sir, yesterday I gave notice of a short notice question and I thought that I had got the leave of the Member in charge to put that question today.

**Mr. President:** That question is not on the Order Paper.

**Maulvi Muhammad Yakub:** If the Honourable the Home Secretary is ready to give an answer to the question, may I have your leave to put the question?

**Mr. President:** Very well; I will allow you to ask that question. .\*

**Maulvi Muhammad Yakub:** With your permission, Sir, I put the following short notice question:

- (a) Are the Government aware that the Mussalman shopkeepers at Cawnpore, who refused to join the Hartal on 24th March, 1931, in connection with the execution of Bhagat Singh and others were assaulted and forced to close their shops, which resulted in a communal riot in that city?
- (b) How many Muslims were killed and how many injured during the riot?
- (c) Is it also a fact that some mosques were damaged and desecrated by the rioters?
- (d) Will the Government be pleased to state what steps they propose to take to protect the lives and property of those peaceful citizens who refused to join the violent Congress movement?

**Mr. C. W. Gwynne:** (a) Government are informed that the cause of the communal rioting was the pressure brought by demonstrators on Muslim shop-keepers to make them close their shops on March 24th in connection with the execution of the persons condemned to death in the Lahore Conspiracy case.

(b) The number of deaths so far registered at the Cawnpore City Hospital is reported to be 94, of whom 67 are Muslims and 27 are Hindus. The number of injured persons similarly registered is 280, of which the majority are reported to be Muslims.

(c) The Local Government have reported that a considerable number of mosques and temples have been damaged or desecrated:

(d) The Government of India are necessarily not in full possession of information relating to the action taken at Cawnpore itself since the local officers have been and are still too busy in dealing with the situation to make detailed reports. They know however that prompt action was taken to call out the troops stationed at Cawnpore, to promulgate orders under section 144, Criminal Procedure Code, and to use all the police available. Military reinforcements were requisitioned from Lucknow; the Auxiliary Force was called out and reinforcements of armed police were sent as quickly as possible. By the morning of the 26th, four hundred additional armed police had reached Cawnpore. The latest reports show that the situation has greatly improved; the city is now well held and some shops have reopened.

In regard to the general question of policy, it is the practice and intention of Government to spare no efforts to maintain law and order, to afford protection to the individual against violence and to bring to justice those guilty of breaches of the law.

**Mr. O. S. Ranga Iyer:** Will the Government of India be pleased to state if they were not aware of the fact that at Cawnpore for over a month there has been a very great communal tension and what steps they were pleased to take to bind down the communal leaders, both Hindus and Muhammadans, who were bent upon creating trouble for over a month? Were any of them interned under Regulation III of 1818? Were any of them suppressed under any other section of the law to maintain law and order?

**Mr. O. W. Gwynne:** I have no detailed information on those points, but I think that is primarily a matter for the Local Government concerned and for the local officers at Cawnpore.

**Mr. O. S. Ranga Iyer:** Were any steps taken to post extra police in Cawnpore in view of the fact that the communal tension there has been growing greater and greater, and as my friend Maulvi Muhammad Yakub truly said, the lives of peaceful citizens were in peril?

**Mr. O. W. Gwynne:** I have no detailed information as to what steps have been previously taken at Cawnpore, but as I have explained, troops and police were brought into Cawnpore on the 24th, 25th and 26th.

**Mr. O. S. Ranga Iyer:** Why did not the Government take special steps to prohibit this particular demonstration in Cawnpore when the communal situation and communal tension was so severe?

**Mr. O. W. Gwynne:** As I have already explained, I have no detailed information on all these points. It is primarily a matter for the Local Government.

**Mr. O. S. Ranga Iyer:** Will the Government be pleased to obtain a detailed report by tomorrow and communicate it to the House as to why special steps were not taken to prohibit picketing of Muslim shops in view of the extreme communal tension, and whether any of the picketers, if they had created trouble, were put in prison?

**Mr. O. W. Gwynne:** The Honourable Member seems to make the assumption that no action has been taken? In any case, I cannot undertake to get a detailed report by tomorrow and communicate it to the House.

**Mr. O. S. Ranga Iyer:** Will the Government inform the House whether it is a fact that prominent public workers, who went to the disturbed spot to pacify the crowd, were in the presence of responsible police officers, given fatal blows and they were not given any protection by the police?

**Mr. O. W. Gwynne:** I have no information on those points.

**Mr. O. S. Ranga Iyer:** Will the Government be pleased to state if Mr. Ganesh Shankar Vidyarthi, President of the Provincial Congress Committee of the United Provinces, and an ex-M.L.C. is missing?

**Mr. O. W. Gwynne:** I have no information on that point.

**Mr. O. S. Ranga Iyer:** Are the Government aware of the rumour that he was in the thick of the trouble with a view to evolve order there? Will the Government be pleased to make a special Report to this House as to what has happened to him?



**Mr. C. W. Gwynne:** I have no information, and I should like to have notice of these questions asking about points of detail.

**Mr. President:** In view of the answers that the Member in charge has given to the supplementary questions just put, may I suggest to the Honourable Member to put his questions on paper so that Government may have time to reply to them?

**Mr. C. S. Ranga Iyer:** I thank you, Sir, for your suggestion, and I hope that Government will be ready with their Report by tomorrow or the day after.

**Mr. President:** The Honourable Member can certainly take what remedies he has under the constitution.

**Mr. C. S. Ranga Iyer:** Yes, Sir, after getting the information.

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### THE INDIAN FINANCE BILL—*contd.*

**Mr. President:** Further consideration of the Finance Bill.

**Diwan Bahadur T. Rangachariar** (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Sir, it is with considerable feeling and a sense of responsibility that I rise to oppose the amendment moved by my friend the Honourable the Finance Member on the recommendation of His Excellency the Governor General. It is not without pangs of regret that we have to oppose this recommendation made by such a great man, who has the good fortune to rule over the destinies of the people of this land. That regret, Sir, is made all the more poignant after listening to those magnificent words which he gave utterance to last night. He has won our hearts by many deeds of his and by many words of his. Our respect and our reverence to him are almost as great as they are to that great Saint of India. These are the two great saints of India of the present day. We cannot but consider that Lord Irwin has been ill-advised by his counsellors in this matter. Sir, there were three groups of thought in this House, as you would have noticed, during the discussion on the Finance Bill. There was this left wing, Sir,—literally it is a left wing of the House which I have the honour to represent—we took the view, the political view, that whatever might be the practical difficulties in the way of the Honourable the Finance Member, we should put pressure on him by means of our vote to reduce his Budget demands by at least 5 crores. There was the other view on the other side, which I call the centre, headed by my friend Sir Hugh Cooke, and latterly also another small group of United India headed by my friend Mr. Yamin Khan, who took the view that a reduction of about 1 crore and 30 or 40 lakhs could easily be made, and there was the middle view advocated by my Honourable friend, Sir Abdur Rahim, assisted as he is so ably by his friend to his left, Sir Cowasji Jehangir, which held that there could be safely a reduction of 2 crores and 34 lakhs in the expenditure. We had hoped that, between these two extremes, the middle view advocated by my Honourable friend Sir Abdur Rahim would be acceptable to the Treasury Benches, but, Sir, we have not got the genius to make constructive suggestions, which is a peculiar monopoly of the European Group, and therefore the Honourable the Finance Member has yielded to pressure from

them now, though in his Budget speech he said that the Army Department had done their utmost to save every possible pie by cutting down expenditure and postponing all expenditure, and he has come forward with taxation proposals with which we are all familiar. Now, he has yielded to pressure, thanks for such pliability, but I wish he had shown a little respect for this side of the House, instead of to the constructive proposals, as he would call them, of his own kith and kin. We have also some responsibility to our constituents, and we have spent laborious days and nights in examining these Budget proposals in great detail. We offered detailed criticisms and suggestions of where economies can be and should be effected, and we thought that we were inflicting no serious wound on the Finance Member's proposals by the vote which we carried by that overwhelming majority of elected Members of this House—of, I think, it was 62 against 48. That is a very large majority. What is it that the Honourable the Finance Member does? He says, "I am prepared to cut down up to a crore". The difference between him and us is only a crore and 34 lakhs of rupees, and was it necessary in this huge Budget to resort to this most extraordinary procedure—if on such slight provocation these extraordinary powers which are vested in His Excellency the Governor General are advised to be resorted to? If that is to be the effect of the future constitutional safeguards as regards finance, if on such slender provocation these reserve powers, which are intended for the protection of the financial credit of India, are to be resorted to, I say, God save the coming Finance Minister who is going to be responsible to the Legislatures. We had offered to help the Honourable the Finance Member, though with some reluctance—we had offered to co-operate with him in the exploration of fields for economy both during the coming year and for the years to come. Although at first we were disinclined to accept the proposal as he had framed it, in the course of the discussions we thought that we might go in there and help Government in making substantial reductions here, there and elsewhere, though it would mean painful and prolonged examination and exploration. But, Sir, the attitude of the Honourable the Finance Member does not encourage us to embark upon that experiment. We have now to reconsider our position, especially in view of the, I hope, unintentional remarks which in the heat of the debate the Honourable the Finance Member used both yesterday and the other day.

Sir, he has assumed a new mantle as the apostle of the protector of the poor. He had been arguing for days and hours in this Assembly, quoting chapter and verse, reports of economic investigations in certain parts of the country, that his proposals were not going to affect the poor in the least. He gave us the assurance in such minute detail, descending even to annas and pies—I think he gave us the figure of two annas and three pies per family of 4 or 5 members—and telling us, what fools you are to think that my proposals are going to affect the poor. Now, if he had not yielded to advice from elsewhere, he would not have used those expressions which he did, and if he reflects over what he said, he will see that he has done a serious injustice—and I hope it was unintentional on his part—to this side of the House in accusing us that in opposing the income-tax proposals we on this side of the House were actuated by any personal considerations in the matter. Sir, his remarks were absolutely uncalled for. However much irresponsible non-official Members may indulge in making attacks on that corporate but inanimate and immaterial body,

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called the Government of India, we make no personal attacks on the Honourable Members who occupy the Treasury Benches. We give them due regard and due respect, and we have never tried to attack them individually in the way in which my Honourable friend's remarks would lead one to suppose. Sir, we have as much the good of the country, nay more, we have more in our hearts the good of the country than the Honourable the Finance Member, or any other occupant of the Treasury Benches can have—the good of the people of this country . . .

**Mr. R. S. Sarma** (Nominated Non-Official): Do it by your action.

**Diwan Bahadur T. Rangachariar**: If my Honourable friend Mr. Sarma will wait, he will hear. We want to do it by our action, and we are emphasising it by our action. If Mr. Sarma has that political insight into the use of political weapons, if he learns to use them in an honest and straightforward way, he will see that these actions bear fruit, if not directly, indirectly, if not now, later on. (Cheers.) He has yet to learn in the field of politics. . .

**Mr. R. S. Sarma**: I admit.

**Diwan Bahadur T. Rangachariar**: . . . what to do and what not to do.

**Mr. Amar Nath Dutt** (Burdwan Division: Non-Muhammadan Rural): He came to learn to Bengal. (Laughter.)

**Diwan Bahadur T. Rangachariar**: I will leave those remarks alone and proceed.

My Honourable friend the Finance Member, when he appealed, said that he was doing something for the poor by adopting the suggestion of my Honourable friends in the European Group. Where were those poor when he came forward with his finance proposals? When did he wake up to a sense of the realisation of the evils which he was doing to the poor by his own proposals? Was it not merely a debating triumph which he wanted to accomplish? Sir, the Honourable the Finance Member said—I do not know what he meant, possibly he will explain to us—that he would have adopted parliamentary methods or tactics . . . (*An Honourable Member*: “Manceuvres.”) manceuvres as he called them, to carry his point. Luckily for us, the guidance of the debates in this House, the regulation of procedure in this House, luckily as I say does not rest in the hands of the Finance Member or any other of his colleagues. It rests with you as the occupant of the Chair, in whom the privileges of this House are vested. My Honourable friend could have adopted any manceuvres he liked, but he could not control your action, and if he really assumed that he could have so controlled the procedure of this House that he could have defeated our object in carrying the vote against him, I think he is very much mistaken in his powers over this House. I am not unaware of the tactics adopted by Government in getting votes for them and for their views, but I will not follow my Honourable friend's example in throwing any accusations at the Treasury Bench. I will restrain myself, but let me remind him that this is a game in which two can play. Let me appeal to him that he should not easily accuse Honourable Members opposite of any interested support to this measure or that measure. He does his

duty as he deems best according to his conscience, and we do our duty on this side as we think best in the interests of the country, and we should not attribute motives to each other. Public life will become impossible if responsible Members hurl accusations against each other and attribute motives of a personal nature.

I have not much to say on the merits of the amendment. It is a choice between one crore and 2 crores and 34 lakhs. As I have stated already, we honestly consider—we may be mistaken—that it is up to the Government to cut down their expenditure by at least 2 crores and 34 lakhs next year. How they will do it is a matter for them to decide. We know how impotent the Government of India are in dealing with the military expenditure. They are at the mercy of some people across the seas who know so little about the affairs of the country and who know so little about the feelings in this country. You have to obey the mandate from Whitehall to keep up your military expenditure. My Honourable friend the Finance Member did some propaganda work by alluding to our refusal to walk into the parlour of His Excellency the Commander-in-Chief and exchange views with him as to retrenchment. Let me state plainly why we refused to go there. It is one thing to talk with these high officials in their drawing rooms or office rooms and another thing to go to a committee with liberty to examine and cross-examine them, with liberty to ask them to produce their books and documents. It is a different thing to go and meet these exalted personages and listen to their statements when it would be rude to contradict them. What is the good of asking us to walk into the parlour to do business with such eminent personages? If those gentlemen have really facts and figures to convince us, let them place them before a committee, where we will be clothed with regular authority to subject them to that examination and cross-examination which alone will bring out the real truth. That is the real reason why I declined to take part in this proceeding, for I thought it would not be right to walk into the parlour like that. Let my Honourable friend remember that he cannot get debating advantages by merely renewing that offer across the floor of this House, for I cannot but consider that that action of his was merely for propaganda purposes to say, "Oh, these gentlemen are afraid to face facts. That is why they have declined the offer so kindly made by His Excellency the Commander-in-Chief. They are afraid they would be convinced and that is the reason for their refusing it". That was the implication which my Honourable friend tried to convey to this House by making that offer. I repudiate that suggestion. We are not afraid to face His Excellency the Commander-in-Chief or any other gentleman that may come forward, if he will meet us on equal terms, on terms of business and not merely ask us to engage in a drawing room conversation. I may say at once, as I have said, that we are constrained to differ firmly but most respectfully from the views taken by His Excellency on this occasion. With all respect to His Excellency, he had not the time to consider this. The ink had not gone dry on the proceedings of the previous day's debate. I can hardly believe that His Excellency could have been well posted with all the remarks that had been made on the floor of this House, as to why this retrenchment was sought to be effected. The ink was hardly dry on the Secretary's pen, if he uses a pen, in recording the proceedings of this House. His Excellency has recommended this Bill. He might have paid us the compliment of going through the proceedings instead of listening merely to the *ex parte* representations of his advisers,

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however, eminent they may be. If he cared to pay us the compliment of taking a little time in considering the whole question, he might have taken some more time before he rejected our proposal. Our conviction is—we may be wrong—that His Excellency could not have had the time, when he signed this recommendation, to have paid us the compliment of seeing what we have said in support of our proposals, before he gave that recommendation. I will not pursue that matter further. As I have already stated, it is impossible for us to depart from the position we have already taken. We want to exercise our constitutional right and responsibility. Our constitutional right and responsibility is to see that as little taxation is imposed on the people as possible under the circumstances. It has been said that this taxation affects only 300 thousand and odd people. Does my Honourable friend remember, when he wants to belittle the effect of this taxation, what it does mean? What does infliction of additional taxation on trades and professions mean? It means placing a handicap in the way of progress of business. After all India is a poor country. She cannot entirely depend upon agriculture alone. The growing population must have some outlet in other walks of life, and the only thing she has is these petty trades and a portion of the commerce of this country. The Indians who are engaged in these petty trades and commercial pursuits will be the persons affected. They are the persons who really can boast of some wealth, if wealth there is in this country. It is these people who provide labour for their dependents and relations and several hundred thousands of others. It is their earning capacity that we want to protect, not merely the 300 thousand and odd individuals. Your action will paralyse trade and commerce by depriving these men of the means of restoring themselves after the financial crisis they had crossed through on account of lower prices. Do you want to emasculate these petty traders and merchants, who require your protection, however small they may be? The professionals belonging to the legal and medical profession are a handful. We are not thinking of them in voting down this extra proposal for income-tax. We are thinking of the vast number of traders and merchants who have to carry on petty business, and sometimes a moderately large business; they are the persons who will be affected, and, while they urgently need every rupee to carry on their business and to improve their deteriorated position, their business will come to a standstill. So, Sir, the little trade and commerce which exists in this country will be vitally affected. Let us not think of the millionaires of Bombay or the millionaires of Clive Street in Calcutta; they are only a handful; you can count them on your fingers' ends; but what about those hundreds and thousands of petty traders, the shop-keepers, the merchants? Will they not be affected? Now if their business is jeopardised, does my Honourable friend think that he is not doing an injury to the country by means of his proposals? I ask him to consider that aspect of the question, Sir, before he lightly accuses this side that we are trying to protect ourselves. A few hundreds having to pay increased income-taxes or super-taxes does not matter so much, but, Sir, it would also involve great injury to the trade and commerce of the people. Sir, therefore my Honourable friend need not, in placing what he thought excellent arguments before the House, have indulged in those diatribes in which he did indulge. I wish he had not done it. Sir, we are accustomed to fair treatment at the hands of Government, and I hope, Sir, our relations will continue friendly, but I do trust that he will not cast a reflection in

the way which his remarks seem to imply. Sir, as I have stated already, we have debated this at more than two meetings—at separate meetings and at joint meetings—and we have paid our earnest consideration to it; but we feel convinced that we would be doing an injustice if we accepted the proposals of the Honourable the Finance Member. Sir, our proposal was but a modest proposal; and may I once again appeal to the good sense of the Treasury Benches that they will not force this issue on this country? Sir, this is not the time for that. We are all anxious, that we should not on our part commit blunders,—as anxious as we are that the Government on their part should not commit blunders. The other day when we made a demonstration, we felt the Government had made a huge blunder, and therefore we felt it our duty—not because we hold revolutionary views or sympathise with revolutionaries and most of us have no sympathy for them, but because we honestly believe that a political blunder had been committed by the execution that we brought that prominently to notice in that way. Similarly, Sir, we have considered that aspect of the question also. We asked ourselves, are we committing a blunder ourselves in insisting on and persisting in the course which we are adopting. Sir, we have come to the conclusion that we are not, and therefore, Sir, we are obliged to oppose this recommendation of His Excellency the Governor General. Sir, I oppose the amendment. (Applause.)

**Mr. President:** I should like to ask Mr. Amar Nath Dutt whether he wishes to move his amendment.

**Mr. Amar Nath Dutt:** No, Sir.

**Sir Abdur Rahim** (Calcutta and Suburbs: Muhammadan Urban): Sir, any recommendation from His Excellency the Governor General is bound to receive respectful consideration from this side of the House. It is no exaggeration to say that we Indians sincerely believe that His Excellency Lord Irwin is one of the greatest friends that India has ever had. (Loud Applause.) But, Sir, the recommendation is really marred by the fact that it is put before us by the Government of India within twenty-four hours of their signal defeat. (Applause.) The only question before us is, what transpired since then? What new facts have been put before us? What new evidence has been adduced before us? What important considerations of policy or of anything else have been placed before this House that the Government should ask us, within twenty-four hours, to alter our verdict? (Loud Applause.) Sir, I listened with every attention to the Honourable the Finance Member's speech. I mean no disrespect to him, but I must say he simply repeated to us the very arguments that he had been advancing before. He had nothing new, excepting perhaps a warning which I will come to later on, Sir—that is to say the Honourable Member or the Government had not thought fit to use parliamentary manœuvres. (Laughter.) That is the only argument that has been put before us. That is the only consideration upon which we are asked to review our decision,—a decision which was not taken in haste but after prolonged discussion,—and certainly the Members of the Government did not spare time or trouble to put forward their case as strongly and as cogently as the case was capable of. I ask Honourable Members who voted in support of my Honourable friend, Sir Cowasji Jehangir's amendment, to tell the House plainly the reasons for a change of opinion if they have in fact changed

[Sir Abdur Rahim.]

their opinion. Sir, I doubt if anybody has. (Loud Applause.) Sir, I say the country will expect them to go into the same lobby with us on this occasion also. (Loud Applause.) Sir, I should be stultifying myself, I should consider myself unfit to take part in the public life of the country if, within 24 hours, I am expected to change my opinion for no reason whatsoever. Is any Honourable Member prepared to face his country, to face his own conscience, if he can behave in such a way and still pose as a representative of public opinion? (Loud Applause.)

Sir, that is one important consideration. Then, there is another consideration. It is no good shuffling figures; we know figures, everyone knows figures; we have been studying figures for days together: Sir, there is no charm in figures. The point is this. We have been stressing the fact all along, that you are not retrenching half as much as you could,—especially on the military side. There is no Indian that I know of who does not believe, and earnestly and sincerely believe, that the military expenditure is far too heavy for this poor country,—and yet the Military Budget practically remains the same as it was before. What is the good of asking us to accept a cut of 60 lakhs, when we are convinced that there are crores which should be cut off from the Military Budget? That is the point. We were asked, Sir, to have a conversation with His Excellency the Commander-in-Chief. I have not had the honour of meeting His Excellency yet, but I have not the least doubt that His Excellency, having arrived in India not very long ago, has his advisers who must have told him that the condition of India is so unsafe that you could not possibly reduce anything from this Military Budget; and I have not the least doubt that a great military expert and authority as he is, he would have told us that this is how he has been faced and that that is his view. Is it possible, can anyone ask us to say that we are in a position to meet him fairly and squarely? Impossible. Then, the condition of this conversation was, it was to be confidential. We all realise that there are a great many military matters which must be kept confidential; but that was not the point and that is not the point we have been making in this House. The point we have been making is that the Military Budget on the whole is far too heavy, and we ask the military authorities, and we ask the Civil Government, to reduce the military expenditure to a substantial extent, to an extent which the country can afford to bear and they alone can do that. We refused to be parties to any conversation which could lead to nothing at all. Then, Sir, the Honourable the Finance Member

12 Noon. in his speech suggested that we were unmindful of the poor and that we are only thinking of taking care of our own pockets. Now, what is the basis of that charge? The basis of the charge is certain proposals relating to excise and import duty on kerosene oil were passed. Whose proposals were they? Were they our proposals? Did we suggest an increase in these duties? They were the Government's considered proposals, and we were asked to consider them. And how did they carry their proposals? It was by their own official bloc that they carried those proposals. (Applause from non-official Benches.) Is the Honourable the Finance Member justified in turning round and charging us of being unmindful of the poor? Is that a *bona fide* charge? Sir, for many years I have been saying to my colleagues in another Government and to Europeans generally that though you are solicitous for the poor and from every platform you want to convince the world that you alone are the guardians

of the well-being of the poor, may I ask you in all earnestness if you are doing anything for the poor compared to what any other civilized country in the world is doing for their poor? Take England. What has the English Government been doing? They have been building a million or more houses for the poor, giving them gratuitous relief, medical relief, old-age pensions, etc. Then there is the unemployment problem, which every party is seeking to solve. Have you ever even mentioned the unemployment problem of the poor in this country? Is there no unemployment problem in this country? Why, millions are unemployed; they are not given sufficient scope for employment. It is not because the people are lazy or they are averse to work; no one can charge the Indians with that, but no opportunity has been given to them. I come from the province of Bengal, where, as everyone knows, people cannot get even pure or uncontaminated drinking water. We have been impressing this on you but you do not find money even for digging proper wells. Look at the huts they live in. Look at the ravages of malaria and cholera and scores of other diseases, and yet you say that we do not think of the poor and you do. In the face of all this, can you say that this is your sole privilege and your sole occupation? I am very sorry to have to make these remarks, but I think the Honourable the Finance Member was very ill-advised in embarking upon such a course of argument.

One word more, Sir, and I have done. He has also been suggesting, at any rate, some Members on the Official Benches have been suggesting, that they alone are responsible for the well-being of the poor and we do not feel the responsibility. Do they not realise that most of us, if not all of us, come to this Assembly at a great personal sacrifice and personal inconvenience? Why do we do so? What reward are we seeking? What remuneration do we expect? It is only the sense of responsibility to our own people that brings us here, and to be taunted by any one that he alone feels the responsibility for the people of India and not we is simply intolerable.

Sir, whatever parliamentary manoeuvres the Honourable the Finance Member was thinking of, I should like to ask every Honourable Member who went into the lobby against the Government day before yesterday to tell us publicly the reasons that induced him then to vote with us and against the Government, and also what induces them today to change their mind. We are entitled to hear that openly in this House. That is the appeal I should like to make to every Honourable Member if he is going to change his opinion.

**Sir Hugh Cocke** (Bombay: European): Sir, I can well understand the feelings of Honourable Members who, after having carried somewhat fortunately, perhaps a little unexpectedly, a motion against the Government, depriving Government of 235 lakhs of revenue, have placed before them a day later a recommended clause which seeks to upset that verdict of the House. But having said that, I return to the hard facts of this matter and the business aspect of it, from which I am never able to divorce my views, and come down to the actual position. Before I do that, there are one or two remarks I should like to make on the general field of the discussion which has been opened up. The Honourable the Leader of the Opposition referred earlier in his speech with sympathy to the difficulties of the Governor General in ruling this country at the present time. Those difficulties are well known. They are not merely political; they are not merely communal; but they are financial and economic.



[Sir Hugh Cocke.]

And it is unfortunate at this particular time, when we are here considering the financial and economic difficulties, that the Government's proposals should have been so seriously affected from the point of view of balancing the Budget, bearing in mind their other difficulties also. I think Members of this House would have been better pleased if, in view of the difficult situation in the country, it had been possible to pass this Finance Bill without the difficulty which has arisen. But, Sir, that has not proved possible and we have got to take the situation as we find it.

Now, what, very briefly, is the situation? We know very well that Government introduced very largely increased rates for taxation of incomes and the verdict of the House the other day was to put back those rates to something roughly halfway between what they were last year and what they were as brought in by the Finance Bill. And it was urged, and has been urged again this morning by the Leader of the Opposition, that those reductions were essential in view of the state of the country rendering people unable to pay. Well, I realise very fully the state of trade and business in this country, but I cannot help returning to the argument that I have advanced before—I do not want to give offence to anybody—but it really comes down to this, that if additional taxation is to be raised, it has to be put on the shoulders of those who are able to bear it. No one would dissent from that proposition. The only point is whether, apart from the fact that many Honourable Members think that Government could fill this gap by retrenchment, a point which I will take up in a minute, the only question is whether the rates which have been recommended and which are now before the House are reasonable or are not. Taking the ordinary small trader who has been referred to this morning, the small business man earning, we will say, Rs. 5,000 per annum (or rather Rs. 4,999) by his small business or shop, he used to pay at five pies in the rupee and that five pies cost him Rs. 130 a year. The Government brought in a rate of nine pies which pushed his Bill of taxation up to Rs. 234, roughly an increase of 80 per cent. The amendment of Sir Cowasji Jehangir brought the taxation down to five pies in the rupee again, leaving the small trader where he was before. A point that has got to be urged, when one comes down to the question of the burden, is the fall in commodity prices which has undoubtedly benefited the expenditure of every one in the country to some extent. Now, the recommended measure puts that rate up to six pies and the small trader earning Rs. 4,999 a year is asked by that recommended measure to pay Rs. 156 against the Rs. 130 he paid last year. Well, now, if that is not unfair, it follows that the other increases are also not unfair and therefore, on the actual rates before the House, I do not think the House can really say that the rates proposed are a burden on the small trader. Those of us who have something to do with income-tax administration know very well that in practice the salary earner pays his full tax, but the small merchant very rarely does, because as Honourable Members know very well, it is a very difficult matter in this country to get at the correct figure of profits of the small trader, and undoubtedly there is a good deal of avoidance on the part of the small traders. That is a point to be borne in mind when we come to this House and plead the cause of the small business men in India.

Now, I come to the other point. It has been held by the House, and I think it is their main point, that Government ought to accept this cut of 235 lakhs on the ground that they could fill the gap by retrenchment.

The Honourable the Finance Member, on the other hand, has only been able to find, with considerable difficulty, roughly one crore of rupees, and therefore, the position before the House amounts to this. Are we prepared to force the Government to fill the gap if they can, and, if not, to leave it open with an unbalanced Budget? In view of the explanations we have had, and particularly the point that to cut down the military expenditure further this year is a matter of policy, which ought to be left to the Round Table Conference, it seems to me that we cannot justify the argument that the Government can find 235 lakhs. We should have been quite prepared to join our friends, as they will know, in forcing the Government a little further, and we told our friends that if Mr. Amar Nath Dutt should propose his amendment, we should have supported it on the distinct understanding that the House would go no further and we should support the recommended measure subject to that modification. We are convinced that it is not easy to fill this gap, and in fact, I do not believe for a moment it is possible, because, although we can urge upon the Honourable the Finance Member that commodity prices are still falling, that there may be very good rains, that the Round Table Conference may assist further the settlement of the constitutional problem, that the communal problem may be settled, although we can urge all these, yet all these are possibilities which no Finance Member is justified in reckoning on. He must take hard solid facts, and therefore, I say, to ask the Honourable the Finance Member to back a Budget deficit by those possibilities, and force him to accept this extra crore or more of reduced taxation, is not one, we, on these Benches, are prepared to support. I repeat that it is a matter of very great regret that this upheaval in the Finance Bill should have arisen and it would have been a very much more happy settlement if it had been possible to pass this Bill through with some amendment which we could have supported. We were very anxious to go into the lobby with the Opposition in this matter and force Government's hands to a reasonable extent; but the whole point is, are we forcing them to a reasonable extent by rejecting this recommended measure and asking them to abide by Sir Cowasji Jehangir's figure? I really do not think we are. We have given our best judgment to this and we support Government in putting through the taxation which they desire. (Applause.)

(Diwan Bahadur Ramaswami Mudaliar and Sir George Schuster both rose.)

**The Honourable Sir George Schuster (Finance Member):** If my Honourable friend Mr. Mudaliar would permit me, I would just say a few words.

**Diwan Bahadur A. Ramaswami Mudaliar (Madras City: Non-Muhammadan Urban):** I have not the least objection.

**The Honourable Sir George Schuster:** I have only just learnt that, according to the rules of procedure, I have no right of reply to this debate. I had been sitting here throughout under the impression that I should be able to reply and for that reason I did not interrupt either my Honourable friend the Leader of the Opposition, or my Honourable friend, the Leader of the Independent Party, when they referred to certain remarks which I have made. But I understand that you would not object to my making a purely personal explanation and not dealing in any way with the merits of the case or taking upon myself the making of a speech, which could be construed as a reply.

**Mr. President:** The Rules and Standing Orders do not permit the right of reply to the Mover of an amendment and the Chair does not propose to make any distinction amongst Honourable Members of this House (Hear, hear). The Honourable the Finance Member will not have any right of reply on the debate as the Mover of the amendment. If the Honourable the Finance Member wishes to make a personal explanation within the terms of the Standing Orders, I will allow him to do so.

**The Honourable Sir George Schuster:** I shall be very brief, and I hope the House will recognise my difficulty in complying with the exact terms of making a personal explanation, because if I were to explain my position fully, I should find myself launched into making a speech. Therefore, all that I will say is this. It has been suggested already by two speakers that in one or two of my speeches, I made implications against certain Honourable Members on the other side which imputed to them personal motives in what they said or in the way in which they voted. Sir, I wish to make it as clear as I possibly can and free from any sort of doubt that I never intended to make any sort of personal implication. My Honourable friend the Leader of the Opposition has, I think, made it easy for me to explain my position when he said this; that he in dealing with us, who sit on these Benches, or other speakers on that side in attacking us who sit on these Benches, was not making a personal attack. He suggested that the attack was aimed at the system of Government which we, as individuals, represent and never was intended as an attack on the individuals themselves. Sir, I am glad to have that explanation, because, I am sure my Honourable friend will agree with me that even for us, and knowing what lies behind the words, it is sometimes difficult to distinguish between what is meant for a personal attack and what is meant for an attack on a system. I have to sit here for many days listening to speeches which very often sound like personal attacks. However, Sir, I accept that explanation, and what I want to say in reply is that if I suggested at any time that I was trying to distinguish, as I put it, between the true voice of the public and the real public demand of the representatives of sectional interests, that represented a genuine thought and a genuine difficulty in my mind. If I referred to sectional interests I meant no more than that, and I meant that we had to try and arrive at what is a just scheme of taxation and not be influenced by the interests of particular classes. If any Honourable Member speaks for a particular class, he is entirely within his rights in doing so; in fact, it may be very often his duty to do so. And the idea that he, in speaking for a class, was thinking of his own interests or his own pocket is something which is entirely foreign to my mind. If I said anything in the heat of the moment, as my Honourable friend said which conveyed a different impression, I wish fully to withdraw that impression and make it quite clear that I intended nothing of the kind.

**Diwan Bahadur A. Ramaswami Mudaliar:** Sir, the Honourable the Finance Member has been graciously pleased to accept the apology of the Leader of the Opposition. That is how I read his words. (*Cries of "No, no."*) It is not as if the Finance Member has fully realised the implications of the words he uttered yesterday and the day before. He started by saying that he was glad to have the explanation of my Honourable friend the Leader of the Opposition that no personal insult was ever offered to any Member of the Government Bench

**The Honourable Sir George Schuster:** My Honourable friend is entirely misinterpreting what I said. What I said was that in the very kind speech of my Honourable friend the Leader of the Opposition I found an explanation which helped me to make an explanation on my own side. Having got his explanation I thought that if I picked up his point it would be easier for me to make Honourable Members opposite understand what was in my own mind. But I never suggested for a moment that my Honourable friend was making any sort of an apology, nor did I ever suggest for a moment that any sort of apology was needed.

**Diwan Bahadur A. Ramaswami Mudaliar:** I am glad to have that assurance. We had a very painful impression while my Honourable friend the Finance Member was speaking that, so far from withdrawing what he said on the previous occasion, he intended to thank the Leader of the Opposition for the apology he conveyed to him that no personal attack was intended on the Members of the Treasury Benches.

Sir, I should like to refer to the speech of the Honourable the Finance Member. I am not going to dwell on the fact that he has cast any aspersions. But to be fair to us and to understand our point of view I should like the Finance Member just to have his own words recalled to his mind in as rough a way as I could get from a newspaper publication. Fortunately for me, it has put in the extract in quotation, in the direct form :

"Sir George Schuster replying said :

"I find our main difficulty is to distinguish what we can regard as the true voice of public opinion speaking to us through the representatives of the public. I have tried to distinguish what I may call the true voice in the interests of taxpayers in general and of those who are hard hit in respect of their own pockets'."

Now, Sir, these words did create a very painful impression for two reasons; in the first place because . . .

**The Honourable Sir George Schuster:** Sir, may I interrupt my Honourable friend? Of course these are not my exact words, but I think my exact words make the point a bit clearer, and the explanation I have given, I think, fully explains what was in my mind in using those expressions.

**Diwan Bahadur A. Ramaswami Mudaliar:** I shall not pursue the matter further. We unfortunately have not got the exact words before us because the official copy is not with us. We can only go by as accurate a report as we thought we could obtain regarding the words of the Finance Member. I shall leave the suggestion about the pockets of Honourable Members being touched, and I should like to pursue further the suggestion about the true voice of public opinion. Sir, it seems to me that the Government—I will use non-personal words—the Government are taking a very high position indeed if they try to sit in judgment and try to balance with a nicety what they call true public opinion and what they say is not true public opinion. I do not think Government can take up that high and mighty attitude with reference to any criticisms that are addressed from this side of the House, and say that this is the opinion that they consider

[Diwan Bahadur A. Ramaswami Mudaliar.]

as true and real, voicing forth the public opinion of the country, and this they consider as the camouflaged voice which is not the voice of public opinion of the country. In the present case the Finance Member's defence has not improved the position very much. He tried to tell us that we were not fair to the poor consumers and that we were anxious to help only the rich in trying honestly to avoid the income-tax proposals. May I draw my Honourable friend's attention to the statement that he made when we took up the question of the reduction of the import duties on kerosene? I heard a very different tale from the Finance Member on that occasion. I remember to have heard the echoes and the great strength of feeling with which the Finance Member told this House that the incidence of taxation by this increased rate was very very small, that millions of kerosene oil consumers were concerned in this, and that for a whole year the additional amount that they might have to pay would not be more than half an anna. I believe that was the statement which the Finance Member made. In spite of that, Sir, because we felt that the poor consumer had to be protected and because we knew that he was going to be affected much more than by the half anna that my Honourable friend proposed, we went into the lobby, 47 of us, and it was only by a margin of 7 votes that the Government was able to defeat us. Is it our fault . . .

**The Honourable Sir George Schuster:** My Honourable friend may realise that the kerosene tax is not the only tax that affects the poor people. There are other taxes which were passed without a division and which affect them very much more heavily.

**Diwan Bahadur A. Ramaswami Mudaliar:** Sir, I have gone very carefully through the customs tariff. My Honourable friend refers to it. I may omit as being out of account things like ale, beer, wines, cigars, cigarettes and a host of other things, and I think I will pin him down to those schedules to which a brief reference is made in this particular schedule where cloth and other textiles are referred to. Now, Sir, the policy with reference to cloth, foreign piece-goods and other textiles is a very different policy from what the Finance Member has laid down regarding the poor people. The poor man is not pledged to take foreign cloth, and at the present moment when there is a strong agitation and propaganda for the consumption of indigenous cloth, the consideration of levying a heavy customs tariff on foreign cloth stands on an entirely different footing from considerations of levying a tax on kerosene or on petrol. Even with reference to petrol we waived the right to move an amendment because we thought that the poor are not so much affected as the rich. I want to ask the Finance Member whether he does not realise that, in dealing with his extraordinary proposals for additional taxation, this side of the House has been considerate and over-considerate. The Finance Member has taken credit for the fact that he has responded as far as possible throughout the course of the debate to any demands that have been made by this House. Has there been a want of responsibility and want of responsiveness from this side of the House? Let the Finance Member cast back his memory a year and try to visualise the scene that took place in this House when differential tariffs were proposed to be put, when there was one tariff proposed to be put on foreign goods and a reduced tariff on British goods, scenes that occurred in this House, the

walk-out that followed, the tremendous political embitterment that ensued on that occasion, the feelings that were strained and the tension that was the inevitable result on that occasion. And will my Honourable friend see that on this occasion, without a whisper, without a murmur, without any sort of protest against the continuance of that differential taxation, just because we are as anxious to evolve a peaceful atmosphere for a consideration of constitutional questions, the whole of that was slurred over, and no Member even attempted by way of an amendment to vary that rate of taxation but acquiesced in this principle of differential tariffs and of Imperial preference? My Honourable friends on the Government Benches—and that is my accusation and my complaint—give us no credit at all for the great effort that we have tried to make in every direction possible to meet them as far as possible. On the other hand they try to say that ours is not the voice of true public opinion. My Honourable friend the Finance Member said that the Government have no constitutional course open to them to test public opinion. Is that a fair offer? I should like the Finance Member to apply the constitutional measures that are open to him to test public opinion. Dissolve this House today; stop the progress of the Finance Bill,—we are prepared to go out into the country and to our constituencies on the issue of your Finance Bill—get a new Legislative Assembly and get from that Assembly the vote that you have not been able to get from this Assembly.

**Mr. R. S. Sarma:** On the Finance Bill or the income-tax alone?

**Diwan Bahadur A. Ramaswami Mudaliar:** I do not wish to make any distinctions between nominated and elected Members. (Laughter.) I know that there are a good many true men among the nominated Members; and I will therefore not take notice of interruptions, though I may assure my Honourable friend that he may rest confident that his nomination to the next Assembly is as secure as it always has been. (Laughter.)

That is a fair offer that I would like to make it quite seriously. If the Honourable the Finance Member thinks that public opinion is behind him on this 15 crores of additional taxation, let him take courage in his hands, stop the progress of the Bill for the time being, get a new Assembly and get that Assembly to pass your Finance Bill.

Now, Sir, repeatedly in the course of his speech he tells us that a very bad impression would be created both in this country and abroad if the Members representing popular constituencies in this House were to vote for the reduction of his income-tax proposals which affect the rich. I shall leave aside for the moment the impression in this country; we are going to face that impression; we are going to go back to our constituencies; we have not come here for the last time; we are going to try our fortune at the ballot box on an occasion not very long from today; and therefore my Honourable friend need not concern himself about the impressions in this country. But what exactly does he mean when he talks of impressions abroad? Who are those people abroad about whose impressions we are asked to be cautious? Is there a suggestion behind those words, that at the further stages of the consideration of the constitutional development of this country, an argument might be built up that this House, moderate as it claims to be, has yet been so irresponsible that no powers can be safely guaranteed to this House? What is the impression abroad, I ask the Honourable the Finance Member, which he had in mind when he made that statement? Did he refer to Kamtchatka or Timbuctoo, or

[Diwan Bahadur A. Ramaswami Mudaliar.]

did he refer to London and the possibilities of arguments being advanced there against us regarding our competency to deal with financial questions of our country? I venture to think that these are arguments which will not frighten us. We are not babies; we are not children; we have taken courage in our hands and tried to be as moderate as possible with reference to this motion.

What is this one crore reduction that my Honourable friend the Finance Member has put before us? Rs. 60 lakhs of it comes because the mechanisation proposals in the Army are postponed for the time being. The balance comes because the surplus of 34 lakhs is swallowed up—there will be no surplus at all—it will be thus a balanced budget; therefore the retrenchment to the extent of Rs. 1 crore that my Honourable friend Sir Hugh Cocke insisted upon is not one crore of real retrenchment, but only a postponement of expenditure to the extent of 60 lakhs for a further day. I put this position before the Finance Member. If you see that the milch cow becomes dry, if you have your taxation proposals up to these extraordinarily extreme limits, what is to happen to the future Government which will come in your place and carry on the administration of the country? At the present moment you have a certain expenditure to meet. It has been said that the peak has not been reached and next year automatically there will be a further increase in expenditure owing to the scale of salaries going up. What will you do next year? Where is this additional taxation to come from? I trust my Honourable friends of the European Group will appreciate it and force the Government to retrench, to make real retrenchment and not to come forward with this camouflaged retrenchment. We showed that the retrenchment of 178 lakhs in the Army was a camouflage; and we say again that this retrenchment of one crore is an additional, a further camouflage; and I appeal to the business man who always refers to his capacity, to realise whether this is a business retrenchment which in their own offices they would call real retrenchment, or whether it is merely postponing an expenditure, which means no retrenchment whatsoever. We suggested in the course of private talks to the Finance Member, that there might be a slowing up of the drafts that come to this country of British soldiers. I read in the speech of the Right Honourable Minister in charge of the Army, made in Parliament, that there was a reduction of 10,000 in recruitment of British troops in the year, and he went further and said the whole benefit of that 10,000 reduction will go to the British treasury, because exactly the same amount will be kept in India. I ask, why should we not get the benefit of the reduction—at least a portion of it? Why should we not get a reduction of 5,000 troops in the personnel of the Army in this country and let the benefit of 5,000 go to the British exchequer? Why should it always be that India, over-taxed as it is, should have all the disadvantages? The entire British personnel is fixed; we are not going to alter that; this is not a proposition whereby the ranks of the Army are going to be reduced. You are not going to get 10,000 people this year; why should the benefit of that cut go entirely to the English exchequer and why should not the Finance Member, and through the Finance Member the Government of India, put pressure on the English Government to give us the benefit of at least half that amount?

My Honourable friend said, "What more could be done? We have done everything possible; retrenchments cannot be carried out in a day, and therefore this House as a business body should accept the proposals of the Government." Some time back there was a discussion in this House regarding salaried services and the possibilities of reduction of salaries. My Honourable friend the Leader of the Opposition raised this question in the general discussion. I said that personally I was agreeable to keep a basic pay for salaried servants and not to interfere with it. The Finance Member said on that occasion that if we examined the reductions in salary made in other countries closely, we would inevitably come to the conclusion that these reductions were in allowances and he was also pursuing that line of inquiry with reference to our Government. Now, I suggest that the Finance Member may do well to read—and I daresay he has already read—legislation urged by way of proposals of various Dominion Governments; and he will then realise what the position is with reference to salaried services. I should like to refer first to the Commonwealth of Australia, and I place before the House and the Finance Member the same proposals which various Governments in Australia have been able to carry out during the last year, owing to the fact that their Budget was exactly in the same position as our Budget is today. Let me take the Government of Australia. The Prime Minister says:

"It was proposed to impose special taxation on the allowances of Ministers and Members of Parliament and on salaries of Government employees which exceeded £725 per annum. In the case of Ministers the tax would be 15 per cent. Allowances to Members of Parliament would be subject to a tax of 10 per cent."

And here I may say that we are willing to have a cut of 10 per cent. or even more in the splendid allowances that we non-officials on this side of the House are getting today:

"As regards Government employees, where the salary exceeded £725 and did not exceed £1,000 the rate of tax would be 10 per cent. Where salary exceeded £1,000, but did not exceed £1,500, the tax would be 12½ per cent. Where the salary exceeded £1,500, the rate would be 15 per cent."

The proposals submitted provided for an annual benefit to the Budget of £8,000,000." *(That included some other proposals also.)*

Now, let me come to another State in Australia—Victoria. The Prime Minister says in introducing his Budget, and I ask the Finance Member at least to read these things, so that some time in the future he may possibly think whether it will end in fruition or not of similar proposals:

"He had intimated, when submitting the Budget, that he was negotiating with the Public Service regarding a voluntary percentage reduction of salaries—*(not of allowances)*—The Public Service Association had informed the Government that they had now agreed to percentage deductions of their salaries without any conditions at all. The Government had accepted the offer. The deductions would begin at 5 per cent. at the basic wage in the case of married men, and at the adult wage in the case of unmarried men and women, and they would rise by ½ per cent. for every additional £50, so that at £500 the reduction would be 7½ per cent. At £950 the reduction would be 10 per cent., and the rates would continue rising by ½ per cent. for every additional £50. The reductions would amount to about £180,000 or £2,00,000 per annum."



[Diwan Bahadur A. Ramaswami Mudaliar.]

Let me make a present of another State which is similarly situated. In Queensland an Act has been passed, the Salaries Act; this Act which was assented to on the 26th September, provides as follows:

"	Salaries over £1,500	.	.	.	.	15 per cent. reduction
"	"	£1,100 to £1,500	.	.	.	14 "
"	"	£ 800 to £1,100	.	.	.	13 "
"	"	£ 600 to £800	.	.	.	12 "
"	"	£ 400 to £600	.	.	.	11 "
"	"	Under £400	.	.	.	10 "

These are some of the ways in which Governments, which have a sense of responsibility to the public, which can appeal to the country, which can be thrown out by a verdict of the ballot-box, have employed with regard to balancing their Budgets. Sir, I venture to think that this Budget, which has been introduced, cannot possibly be supported by us and the only course open to us is to stand by the decision that we have already arrived at. My Honourable Leader has pointed out in very clear terms that no facts have been advanced at all to justify us to change that decision, and that a very heavy responsibility will rest upon any Member who now goes back upon that decision to justify his position and to say what new arguments have been advanced to justify him to change that decision which we have already arrived at. I do not want the House to have any misconception as to the fact that this amendment, being a recommended amendment of His Excellency the Viceroy, ought therefore to be given a special sanctity. His Excellency the Viceroy has clearly said that it is a proposal of his Government, I invite attention of Honourable Members to that particular passage:

"In making this recommendation to the House I have sought to reconcile to the best of my ability the necessities of the public service with the expressed desires of Honourable Members, whose earnest attention I accordingly invite to the revised proposal of my Government."

The proposals are of the Government of India, and I therefore think that they have to be considered on their merits without importing into them the undoubted respect which every one in this House feels towards the person and towards the great work that His Excellency the Viceroy has done for us and for this country. I do not think anybody in this House need be told that we are all unanimous in our view that His Excellency has earned the untold gratitude of every Member of this Assembly and of every citizen of this country. I do not think that anybody on the Treasury Benches has even that amount of regard and that amount of high veneration and respect for His Excellency the Viceroy which we non-officials have. Therefore, let me assure the House that it is not with any intention of treating with slight or disrespect the recommendation of His Excellency the Viceroy but of examining on the merits the proposals of his Government that I invite the House to stick to the decision which we have already come to.

**Mr. Muhammad Yamin Khan** (Agra Division: Muhammadan Rural): I move, Sir, that the question be now put.

**Mr. President:** No, I cannot accept the closure. As today is Friday, I propose to adjourn the House now till a Quarter past Two.

The Assembly then adjourned for Lunch till a Quarter Past Two of the Clock.

The Assembly re-assembled after Lunch at a Quarter Past Two of the Clock, Mr. President in the Chair.

**Mr. N. M. Joshi** (Nominated Non-Official): Sir, the situation that has been created by the action of the House as well as by the action of the Governor General is to me both puzzling and painful. It is surprising that a section of the House, which is supposed to be democratic, should have swallowed, as the Honourable the Finance Member said, taxation by way of customs duties to the amount of ten crores of rupees, and should have succeeded in reducing income-tax for a much smaller amount. Judging by the nature of the House, I quite admit that it is natural that the proposals of the Government for an increase of income-tax rates should have been defeated. This House, I mean the elected section of this House, is elected by constituencies which consist of well-to-do agriculturists and the payers of income-tax. (*An Honourable Member*: "No, no.") Judging from that point of view, the result has been a natural one. But, I am quite sure that the elected Members will agree with me that, although they have been elected by a small section of the population, they are expected not to represent only those by whom they are elected, but to represent the whole country. But I feel that the House has failed to do its duty towards the whole of this country.

(At this stage Mr. K. P. Thampan rose in his place to interrupt the Honourable Member.)

**Mr. President**: Does the Honourable Member wish to give way?

**Mr. N. M. Joshi**: No, Sir. If the Honourable Member will be a little more patient, I am quite sure he will find nothing in what I say for which he will blame me. I am only speaking the truth. Some Members of this House, and I say only some, did not realise the fact that they owed a duty not only to those people by whom they were elected, but towards the whole country. I do not blame all the elected Members for having failed in their duty. I have seen a very large number of them voting against increase in the customs duties, and having seen that, it will be wrong of me to say that every elected Member has failed to do his duty. But the fact remains that some elected Members have failed to do their duty towards the people of this country.

When I look at the attitude of the Honourable the Finance Member, I am equally puzzled. I listened to his speech very carefully and I was impressed by the fact that the Honourable the Finance Member made an admission towards the end of his speech that his proposals for income-tax pressed heavily, perhaps unfairly, against the lowest section of the payers of income-tax. I therefore feel that if some Honourable Members have voted against his proposals, the blame at least to some extent lies upon him, who, although he felt that his proposals were not quite just, did not bring forward proposals before the House which in his opinion would have been just to all sections of the payers of income-tax. Moreover, I feel that the House has taken a decision; it may be right or it may be wrong. In my judgment, it was a wrong decision, but when the decision has been taken I feel that the Governor General was wrongly advised by the Honourable the Finance Member or by his advisers to recommend the Bill and ask the House to pass it in the recommended form.

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Sir, the power of recommendation is given to the Governor General in order that, if the House either by mistake, or because of some other reason, has done a serious wrong, or if the consequences of the decision of the House will be very serious, the Governor General may use his special powers. But, Sir, I feel that the action of the House does not justify the action of the Governor General. After all, the action of the House has deprived the Government of India of a revenue amounting to Rs. 2 crores and a few lakhs. The Government of India themselves are willing to accept a cut which is somewhat smaller, but the difference is not so great that the Governor General should have used his special powers for this purpose. I feel that the situation is painful because this special action has to be taken by the Governor General, who is regarded by all sections of the House, as well as, if I may say so, by the whole country, as one of the greatest Governor Generals that this country has seen. (Applause.) That Governor General is on the eve of leaving this country, and I feel the action of his advisers in advising him, especially at this time, to take a course which may be regarded as flouting the opinion of this House was very unwise. I feel they could have avoided this course. I am sorry they did not avoid it. Sir, as the House is constituted at present and as the Government is constituted at present, a situation like this is bound to arise from time to time. The real remedy for avoiding a situation of this kind in my judgment is to change the constitution of this House at the earliest moment. If you have a constitution in which only a very small section of the country will be represented, you are sure to get at least some occasions when the interests only of a small section of the country will be protected and the interests of the larger section of the country will be jeopardised. I feel therefore the real remedy and the permanent remedy for a situation of this kind is to constitute a House in which all sections of the country will be adequately and properly represented. I am not unmindful of the difficulty of the Honourable Member who interrupted me. The elected members are asked to get themselves elected by a section of the country and they are at the same time expected to protect the interests of the whole country. I myself feel that difficulty in this House. I am supposed to represent the interests of the working classes. Sometimes I get a slip by mistake from my friend Mr. Boag, reminding me that I should be present in the House punctually. I am not generally unpunctual. I do not need a reminder but a reminder is perhaps sent to me by mistake. Sometimes a slip is put in my hand to tell me for whom I should vote during a certain election. I give these notes their due. I send them to the waste-paper basket, because, Sir, I am sent here not to represent a certain section of the House, but I am asked to represent here the working classes of this country. I am not therefore unmindful of the difficulties of the Honourable Member, I do not blame him, but certainly it is my duty to point out that the real remedy for a situation of this kind is to constitute a House in which all classes of people will be adequately and properly represented. Sir, I have done.

**Mr. B. Sitaramaraju** (Ganjam cum Vizagapatam: Non-Muhammadan Rural): Sir, after the very dignified and firm stand taken by our leader, Sir Abdur Rahim, we on the Benches behind him need not say a word more, but I wish to assure him and the House that we stand by the flag

and will not surrender. I know in whatever form these proposals come, we shall stand again by the flag and we will not surrender. It is said that the Government have gone to a certain extent in trying to make a reduction in expenditure, but I wish to tell this House that there is no retrenchment in the proposals made by the Government. If you look to the one crore of rupees proposed by the Government, I wish to say that 34 lakhs are only the balances left and I would respectfully ask the Leader of the European Group and the Finance Member whether they call that retrenchment. Another sum of 20 lakhs within this one crore of rupees is said to be a reduction. Those 20 lakhs are, I understand, the sum set apart for certain aviation construction. That again I say is not retrenchment. It is said that about 60 lakhs of rupees would be retrenched in the Army expenditure. I ask again whether to keep over the mechanisation proposals is retrenchment? I firmly say that out of this crore of rupees which Government propose to reduce, there is not a single item which can decently be called retrenchment. Our complaint against the Government is that there is no willingness on the part of the Government to retrench. Out of the 234 lakhs proposed to be cut under Sir Cowasji Jehangir's proposal, only 134 lakhs, according to this calculation, could be considered retrenchment proposals of his. I wish to convey to His Excellency the Viceroy that we are willing to co-operate with his Government, but this Government does not show a willingness to retrench even a little and co-operate. I wish to point out that there are nearly 98 Demands in the Budget. I do not take any particular item, but on an average if you take one lakh of rupees, from each item, one crore could be made by retrenchment. For instance, if you turn to page 23 of the Military estimates, you find here an item like this, "Medical Service, due chiefly to revision of pay of Assistant Surgeons". Is this the time for revision of pay? This is only one instance. There may be hundreds of instances, and I would like to ask the Finance Member whether it is necessary that we should be forced to find the money to meet the expenditure under these circumstances. India is not the only country which is faced with a deficit Budget. All the world over there is trade depression and Governments are faced with deficits. You find Governments responsible to the people retrenching largely, but here we do not find the Government retrenching even a single rupee; and therefore I wish to convey that it is the desire at any rate of this side of the House that we shall stand by our decision. We wish to maintain the honour and sustain the dignity of our position. With these words, Sir, I oppose the motion.

**Sir Cowasji Jehangir** (Bombay City: Non-Muhammadian Urban): Since the Honourable the Finance Member has already, in very clear terms, told us that he meant no reflection on this House or on individual Members, in his remarks the day before yesterday, I do not desire to labour that point, but I would respectfully ask him to read over his speech again in cold blood and then if he finds that even from the very first few lines of his speech we had justification for coming to the conclusion that the Honourable the Finance Member was making a reflection even upon individual Members of this House, I am certain he will take steps to see that they are not entered in the proceedings. We fully accept his explanation, and I have nothing further to say. But I cannot help saying one thing more with regard to the whole tenor of his speech—that it has had a most detrimental effect from Government's point of view upon this part of

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the House. The effect is that even if he had any chances of getting the support of this House for his revised income-tax proposals, he has lost that chance by the speech he delivered the day before yesterday and the one yesterday. Sir, going into the merits of the subject, he drew our attention to the fact that we had voted 10 crores of taxation which fell upon the poorest classes of the people. With the exception of the kerosene oil tax and the additions to the protective duty, now for revenue purposes, on cloth, I should have expected him to analyse his own proposals and to have shown to us conclusively that all that taxation was going to fall upon the poorest classes. With regard to kerosene oil, my Honourable friends have explained the position. It was his persuasive words, his more effective figures, and the battalions behind him walking into his lobby that prevented his losing a crore of money with regard to his taxes on kerosene. It is not our fault. If he would eliminate the kerosene oil, let him cast his eye through all the Schedules and on another occasion let him analyse them, and let him give us a clear indication of what the incidence of taxation will be on account of our having supported his own proposals. Now, Sir, he has told us with regard to the income-tax that the burden should be borne by broad shoulders. I am quite prepared to accept that maxim. But let us examine how far it is correct with regard to his original proposals. Does he call men drawing Rs. 170 to Rs. 300 or Rs. 400 a month rich in these times? Whether they be petty traders, or whether they be clerks in private employ or in Government employ, in these hard times does he call them rich men? They are a section of the population of this great country which is suffering the most. It is all they can do to make both ends meet. Their standard of living is higher than that of the poorest classes; and the higher the standard of living—and we do want them to go in for a still higher standard of living—the greater the burden you place upon them by increasing their income-tax. From that point of view, let us see what my Honourable friend's proposals amounted to. For those drawing incomes between Rs. 2,000 and Rs. 5,000 a year he wanted them to bear a burden of an additional Rs. 73 lakhs, which was an 80 per cent. increase in their income-tax. We insisted upon cutting it out. In respect of the class drawing an income of between Rs. 5,000 to Rs. 10,000 we wanted to cut out 46 lakhs from the additional burden. From the next grade up to Rs. 15,000, we wanted to cut out Rs. 23 lakhs; and in the highest grade—I will not tire the House by reading all these figures—for incomes of a lakh and over, we cut out the colossal sum of Rs. 5 lakhs,—that is, from the broad shoulders quoted to us by my Honourable friend! My proposals relieved that class by five lakhs of rupees! Is that a colossal amount? And that was done to keep an even gradation. I would like to give him a present of that five lakhs of rupees straight away if he will accept our proposals. Sir, therefore, if you will but analyse our proposals as they stand, you will find that we are trying to give relief to the income-tax payers who are the hardest hit, who will really feel the pinch by this taxation, and who will have to economise in their daily lives. A two per cent. cut in one's income, is no small amount to a poor man; and according to my Honourable friend's own proposals, he only increased 4.76 per cent. on the highest incomes. Was that equitable? Was that making the broadest shoulders bear the burden? And if that is the test, and I agree that it is the test, I contend that

our proposals will stand that test more successfully than those of my Honourable friend. Let him apply his own test to his own proposals, and he will find that he will have to cut down the income-tax by the amount we have suggested. We are not here to protect our own interests. We are here to protect the interests of the people who feel the pinch the greatest, and I contend that it is the poorest income-tax paying man in this country who is feeling the pinch the greatest. My Honourable friend, the Finance Member, can ask, if he chooses, his own subordinates in his own offices, and if they do not corroborate what I tell him, he is welcome to stick to his proposals.

Sir, there is one other aspect of the case that my Honourable friend alluded to; he appealed to us to consider what public opinion will have to say on our proposals. I am going to follow the example of my Honourable friend, Diwan Bahadur Mudaliar, and not talk about public opinion in India, because I feel we have a greater right to talk about public opinion in our own country than the Honourable Member; and if the Honourable Member wants to know public opinion, he had better take it from those who are sent here to represent the country. But if he chooses to take it privately, I would warn him that he will be misled. When he referred to public opinion outside this country, he probably was referring to England; he wanted to say in plain words that our proposals would be further evidence of our unrepresentative character in this House, that we were trying to relieve ourselves of the taxation placed upon us at the risk of the financial stability of the country. That is what he was trying to tell us. I am prepared to take up the challenge. Let my Honourable friend place before the public in England the case fairly and squarely. Let him tell them that in times of peace, with better prospects ahead, his proposals for taxation included a rise of 39 per cent. in the income-tax in this country! Let him tell the British public that,—and I would like to hear their answer. A 39 per cent. increase in your income-tax! That was the proposal of my Honourable friend in times of depression, of such depression as we have never seen before. Let him tell the British public also that this Honourable House was prepared to concede him a 19 per cent. rise in the income-tax. And if those facts do not appeal to the public in England and if they are still prepared to criticise us for the action we are taking, then I, as a humble Member of the Opposition, am prepared to take my share of responsibility for having moved this cut. I only want the facts to be clearly stated. Is there any country in the world, I appeal to my Honourable friends, where the Finance Member in these times would dare to propose an increase of 39 per cent. of your income-tax at one fell stroke without there being a war? Has it been ever heard of, and is it not complete evidence of our leniency—shall I say good nature—that we are prepared to agree to a rise of 19 per cent. in these hard times? (*A Voice*: “It is our weakness.”) But the Honourable the Finance Member is not satisfied.

Sir, I am really sorry to say that his speech has had an adverse effect on these Benches in another direction. We all remember the offer he made of appointing a retrenchment committee and including the Army within its scope. It is my painful duty to say that my Honourable friends behind me are now considering whether it is worth while accepting that offer. I speak on behalf of the two Parties who sit on the

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Opposition Benches here and under their instructions. They will feel compelled to reconsider their decision in the near future. As far as the Army is concerned, I feel it will be a loss to a certain extent. But it is these extraordinary incidents that have taken place within the last two days that are responsible for my Honourable friends' re-considering this point. I have been asked to make the announcement and I do so. It is a serious matter, believe me, for Government to consider. Sir, I trust that in the future when my Honourable friends opposite desire to gauge public opinion, they will not try and find out for themselves what is the real public opinion and how far we here represent sections. If they will trust us to express public opinion of the country openly and clearly, we will do so. But, then, do not let my Honourable friends on the Treasury Benches turn round and say that it is still open for them to test that public opinion and that they will sift it in order to find out its accuracy. It is not doing credit to this side of the House, nor does it do credit to the judgment of my Honourable friends on the Treasury Benches. It is this sort of criticism that breeds on this side of the House opinions that may be considered reckless. If we are not expected to express public opinion, then my Honourable friends will be justified in saying that you shall not accuse us of reckless statements. If you take us seriously, we will take you seriously. If you do not take us seriously, we will refuse to take your proposals seriously.

**Mr. A. H. Ghuznavi** (Dacca *cum* Mymensingh: Muhammadan Rural): What was the public opinion when my Honourable friend approached the Government to vote with him and raise the duty on piece-goods, and supporting Imperial preference?

**Sir Cowasji Jehangir:** Mr. President, the less said the better as far as my Honourable friend is concerned with regard to the Tariff Bill of last year. I refuse to answer that question of my Honourable friend. If any other Honourable Member in this House had asked me that question, I should have given him a frank and free reply. But, coming from the source that it does, I absolutely and frankly refuse to give him a reply. The Honourable Member had better ask his own conscience for a reply.

Sir, I have nothing further to say but one point, and that is that there is not the slightest intention on the part of this House to embarrass the great Viceroy who is about to retire. Most of us feel that the cut is justified and we feel that any other action except to accept it will not be justified. We do hope and trust that Government will revise their opinion and will come to a decision acceptable to the country. We will be the last to force the hands of a great Viceroy, to whom this country is so greatly indebted. But even if he is compelled, we shall know on whose shoulders to place the responsibility.

**Several Honourable Members:** The question may now be put.

**The Honourable Sir George Rainy** (Member for Commerce and Railways): Sir, I have been present at a very large number of debates in this House, but I cannot recall any occasion on which I have been forbidden to say so many things. I trust I shall be able to comply with

the injunctions of Honourable Members opposite, but if, owing to inadvertence or lack of memory, I should stumble into any of the forbidden things, I hope they will be lenient and will pardon me. My Honourable friend, Mr. Mudaliar, said that we on the Treasury Benches did not give sufficient credit to those on the other side for the efforts they have made to meet Government half way. I do not think that is our feeling at all. I do appreciate the fact that Members on the other side have shown their appreciation of the fact that there is a serious financial emergency and that very special emergency measures are necessary. The real point is that, in the last resort, we have not been able to establish agreement between the two sides, and that the steps taken on their side and the steps taken on our side have not been quite sufficient to bridge the gulf. It is unquestionably a regrettable position, but I hope it is one which may exist consistently with both sides, we on our side and they on theirs, attributing nothing but honest and public-spirited motives to those with whom we disagree. Certainly that is the spirit in which I should wish to approach the question and I feel no temptation to do otherwise.

Now, before I come to the main point to which I wish to draw attention, it might perhaps be convenient if I were to say something very briefly on five or six minor points which were mentioned by various speakers. It was said, for instance, by my Honourable friend, Mr. Mudaliar, and I think in substance repeated by a subsequent speaker, that in this crore which Government are prepared to give up, there is not an ounce of genuine retrenchment, and that it is merely postponement of expenditure. Now, when the situation is such as my Honourable colleague, the Finance Member, has again and again attempted to explain to the House, when in the case of questions such as a reduction in the strength of the Army or a general cut in salaries we are faced by insuperable difficulties at the moment in making immediate economies, in what way is it possible during the coming year to effect economies except by methods which are stigmatised as merely postponements? It is all we can do in the circumstances in which we find ourselves placed and I do not admit that it is a criticism which reflects any serious blame upon the Government.

Another point taken by my Honourable friend was this. He drew attention to a statement by the Secretary of State for War in the British Parliament in which he referred to the fact that there was a shortage of 10,000 in the establishment of the British Army, and explained that the Army abroad, and especially in India, had been kept up to full strength, and that therefore the shortage affected only the numbers on the Home establishment. Now, I think it is sufficient, in order to meet my Honourable friend's point, just to mention two things. In the first place, it is natural, and from the military point of view entirely proper, that the shortage should be at the place where the reserves are, because any vacancies in the ranks in the event of an emergency can be filled up immediately, and that those units which are abroad should be maintained at full strength, because it takes much longer to replenish their ranks from the reserves if their services are seriously called upon.

The second point I wish to make is this, that the strength of the British Army in India has been based upon what was considered to be the minimum necessary for security. I know quite well that many of



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my Honourable friends think that the view taken by His Majesty's Government and the Government of India on that question is not right and that the actual number is greater than is necessary. I know that opinion and I respect it. But we have to proceed on the basis that the sanctioned establishment is what is regarded as the minimum necessary for security; and as my Honourable friend, the Finance Member, pointed out, until that question has been fully considered in connection with the constitutional enquiry, it is not possible at this stage to make reductions.

I was interested in what fell from my Honourable friend, Mr. Joshi, as to the *billet-doux* that he says he received from my Honourable friend, Br. Boag. All I can say is that my Honourable friend, Mr. Boag, appears to be an optimist, and takes a high view of human nature. Because from my recollection of my Honourable friend, Mr. Joshi's record in the division lists, I do not know that I myself should be very hopeful of having his constant and uniform support. I frankly admit, of course, that he in this House represents the interests of labour and he must vote according to what he regards the interests of labour, both on the special questions that may arise and generally (Hear, hear). But I can assure him that, while we are always glad to have his support, we frankly recognise his independent position, and I am sure he will take any further *billet-doux* he may receive as a graceful attention not intended to interfere with his independence. (Applause.) Now, my Honourable friend, Mr. Joshi, said that the recommendation was a weapon that ought to be used only in a really serious emergency. For any advice for which the Members of the Governor General in Council may be responsible, I am quite sure that, unless we felt the situation to be serious, we should not feel justified in asking for the exercise of very special powers. It may seem to Honourable Members on the other side that when the difference is only from 140 lakhs to 150 lakhs, it ought not to be treated as very serious. There is a great deal more involved, Mr. President, than merely the actual sum; the whole question of India's credit is involved in the balanced Budget and that is a matter which, speaking for myself, I could never regard as anything but a matter of first class importance and for the proposals contained in my Honourable colleague's amendment which is before the House now, naturally the Government of India assume full responsibility.

Now, my Honourable friend, Sir Cowasji Jehangir, gave one figure which, if I got it correctly, rather surprised me. I think he said that in the case of income-tax payers of one lakh and upwards the loss entailed by his amendment was only five lakhs of rupees.

**Sir Cowasji Jehangir:** That is so.

**The Honourable Sir George Rainy:** The figure given to me by the Honourable the Finance Member is 48 lakhs of rupees.

**Sir Cowasji Jehangir:** According to my calculations, the loss to Government by my amendment regarding individual income-tax payers of one lakh and over is a solid five lakhs of rupees. According to my proposals, the decrease in taxation is only five lakhs of rupees. Is that clear?

**The Honourable Sir George Rainy:** The figure that I have, which includes companies and which is subject to refunds, is 48 lakhs.

**Sir Cowasji Jehangir:** The companies stand on quite a different footing. Companies have a flat rate. The loss on companies for the whole of India is 39 lakhs. Including every company in the whole of India, my reduction on companies is 39 lakhs of rupees.

**The Honourable Sir George Rainy:** I was anxious to ascertain where my Honourable friend had got his figure from, because even if the companies are altogether excluded, the figures seem to me to be very much on the low side.

**Sir Cowasji Jehangir:** I want to make this perfectly clear. The whole of the increase as proposed by the Honourable the Finance Member on an income of one lakh and over is only 16 lakhs and out of that 16 lakhs, we have cut out five lakhs of rupees. Is that clear? That is the position.

**The Honourable Sir George Rainy:** I will not dispute with my Honourable friend further about these figures. I was not clear exactly where he got the figure from. But what I should like to say is this, that no Member of the Government can afford to ignore his very generous offer to place that sum at the disposal of the Government in the event of the Government of India seeing their way to meet his wishes on the amendment. I can only hope that my Honourable friend will always be in a position to contribute so generously and so spontaneously to the needs of Government.

Now, Sir, my Honourable friend asked whether any Finance Member in the world would have dared to put forward proposals for an increase of 39 per cent. in the income-tax. We have yet to learn what the Chancellor of the Exchequer in Great Britain may have in store for the income-tax payers in that country. But his opportunities are of course somewhat narrow and restricted owing to the liberal use made of the income-tax by his predecessors and by himself in earlier years. Sir, it must be remembered that in this case the income-tax proposals of the Government are definitely of the nature of an emergency measure to meet a very difficult situation and are not intended as part of a permanent scheme for raising the tax at that level. I do think that makes a very great difference and it is from that angle that it must be judged.

Now, Sir, I think it was my Honourable friend, Sir Abdur Rahim, who early in the debate asked what right Members of this House who voted for my Honourable friend Sir Cowasji Jehangir's amendment two days ago had to change their opinion. In my view, if they do change their opinion, they are perfectly entitled to do so when the question put before them is a new question and not a question on which they had to vote on a previous occasion. The choice then lay between the original proposals in the Bill and the amendment of my Honourable friend. The choice today lies between the amended proposals, which effect substantial reductions in the rate of taxes imposed upon the three lower classes, and Sir Cowasji Jehangir's amendment. It was evident, Sir, from some of the speeches made on the last occasion, and I can testify from what I have heard from different Members of the House, that it is particularly as regards these lower classes that Honourable Members felt most strongly; and when Government have gone as far as they can to meet the views expressed on the other side of the House and have made an offer which does make this

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substantial reduction in the lower classes, I think any Member of the House is perfectly entitled to reconsider the matter and to give his vote in accordance with what his deliberate view is on the choice now placed before him.

The main quarrel between the two sides of the House has developed on two questions, one, retrenchment, and the other, whether the income-tax proposals are not excessive. Now, as regards retrenchment the matter has been discussed threadbare, and I should be sanguine indeed if I thought that anything I could say at this stage of the debate was likely to carry conviction into those hard hearts on the other side of the House. But I do ask the House to believe not that we are very wise people, not that we are infallible, but that it is our honest and deliberate judgment that we have gone as far as we can and perhaps rather further than we ought, in trying to meet the wishes of the House. We do not feel that we can honestly say to the House that we can reduce the expenditure further during the coming year. The whole question of future retrenchment of course remains open. And that being so, and feeling as we do the obligation to present a balanced Budget, we find ourselves unable to go further than we have done.

And now, as regards income-tax. I should like merely to state what my own views are and what I believe are the views of my Honourable colleagues on the front Bench. From the time it became evident that we were faced by a really serious emergency, the question arose, assuming that a very substantial increased taxation had to be imposed, how was it to be done. Personally I should have found the very greatest difficulty in concurring in any scheme of taxation which, in the light of the circumstances of the present year, did not mean that the income-tax payer had to bear a very considerable share of the burden. That is my own honest conviction. I respect the honest convictions of other people who differ from me, but I do ask them to believe that that is my conviction and, I believe, the conviction of my colleagues. With the proposal now before the House we have tried to meet the wishes of the House by giving up something over a crore of rupees of the revenue we hoped to derive from income-tax. To some extent that already in my view unbalances the Budget. But if we went further and if we accepted my Honourable friend Sir Cowasji Jehangir's amendment, i.e., the Bill in the form in which it was left by the Assembly before the recommendation was introduced, then in my view the Budget would have become unbalanced and the whole scheme of taxation would lay far too much weight on the indirect tax-payer and too little weight on the direct tax-payer. What has been said on that point by my Honourable colleague, the Finance Member, has been challenged from the other side of the House. I frankly admit that if it is a question of drinking champagne and smoking cigars, and other things of that kind, of course none of us contend that these things are paid for by the poorest classes of the community. Nobody would assert it. But on the question of the cotton duties I was a little surprised at what fell from my Honourable friend, Diwan Bahadur Mudaliar, when he suggested that there was no obligation on the consumer to buy foreign cloth, and I think implied that if the consumer bought Indian cloth he would get it cheaper. Now, I ask, does experience actually confirm the theory that if you put a duty upon foreign cloth, the producer of the indigenous cloth will sell it any cheaper than he

need? If so, then the whole theory of protective duties is wrong and they cannot carry out their object. Having regard to the enormous decrease that has taken place in the last year in the importation of foreign cloth, and to the fact that imports during the coming year are likely to be on a very reduced scale, in order to arrive at the burden on the consumer of any increase in the duty on cotton cloth, I think we must multiply by three, because the indigenous production at present must be fully two-thirds of the total. Also it is evident that at the present time in this country that degree of internal competition which might ultimately, however high the customs duties, bring down prices to a reasonable level. Therefore, that is a point when we consider the scheme of taxation does not and cannot exist which we cannot ignore, namely, that through the operation of the cotton duties, a burden is imposed on the consumer in addition to the burden of what actually reaches Government through the customs duties.

Mr. President, I should like to thank the House for the great patience and tolerance with which they have listened to me. I do not wish to say one word which would embitter controversy or hurt any of my friends on the other side. But I must say this, that in taking the course they have done, Government have been actuated by only two desires: first, to meet the wishes expressed in the other side of the House so far as they could, and secondly, they have a very strong conviction that a responsibility is imposed upon them for the protection of certain interests, a responsibility of which they cannot divest themselves, and in the last resort they must exercise their powers to the best of their judgment for the protection of those interests. (Applause.)

**Several Honourable Members:** The question may now be put.

**Nawab Major Malik Talib Mehdi Khan** (North Punjab: Muhammadan): Sir, my Honourable friend, Sir Abdur Rahim, asked the reason for some Members turning topsy turvy within twenty four hours, I mean, voting the day before yesterday against the Government, and now probably going to vote with the Government. First of all, I fail to understand how he came to that conclusion. But be that as it may, I would like to point out that the object of those Members to whom he refers was that the poorer classes should get some relief from the burden that was being thrown on them . . . . .

**Mr. D. K. Lahiri Chaudhury** (Bengal: Landholders): Did the Honourable Member consider their case when kerosene was before the House?

**Nawab Major Malik Talib Mehdi Khan:** If Sir Cowasji Jehangir's amendment had been taken item by item I think the matter would have been easy and there would have been no difficulty; but as it was decided that the whole of that part of the Schedule was to be taken together, those Members who wanted to help the poor had no way but to go against the Government. His Excellency Lord Irwin, sympathetic and far-sighted statesman that he is, came to their help and suggested that substantial relief should be given to that class. He correctly diagnosed the complaint and suggested a remedy. It would therefore be going against one's conscience if that remedy be not accepted.

I belong to the millions of those inarticulate human beings who live in the villages; they are the poorest of the poor; their houses do not cover more than the area of a small bathroom; and in one sometimes twelve human beings are huddled together with their cattle, inhaling foul air.

[Nawab Major Malik Talib Mehdi Khan.]

Sometimes they have to go miles to get a pot of dirty water for drinking purposes to say nothing of any water for washing purposes. They get no medical relief, and the women go through their labour like cattle and other animals round them. (*An Honourable Member*: "What a commentary on the Government?") That may be so, but I am only giving facts. There is no education for them, or very little. There are no roads on which their aching limbs could go; and no markets where they could purchase anything. This is their condition and now I appeal to both sections of the House, the Government, as well as the Honourable Members on my right, and enquire whether any steps have been taken to ameliorate their condition. No doubt the Government have created a department called the Agricultural Department which, on the face of it, is meant for helping the peasant. But unfortunately, so far as I can make out, excepting a few selected seeds which have been given to the people, nothing has been done in the villages. (*Opposition cries of "Hear, hear"*).

But I will be failing in my duty at the same time if I do not mention the work of the I. C. S. men (district officers) who lived among us, moved among us

**Mr. President**: May I ask the Honourable Member to restrict himself to the subject matter before the House?

**Nawab Major Malik Talib Mehdi Khan**: I am coming to that. I was referring to the I. C. S. Officers who learned our ailments and did what lay in their power to alleviate our sufferings, but that generation has gone, giving place to one who adorn the desk.

**An Honourable Member**: No chit is required for the I. C. S.

**Mr. President**: I cannot allow this kind of speech. Will the Honourable Member restrict his remarks to the amendment which is before the House?

**Nawab Major Malik Talib Mehdi Khan**: I am coming to that, Sir. If I had been allowed, I would also have dealt with the other section of the House, as I did above and addressed a few words to them . . .

**Mr. President**: I am sorry I cannot allow that; time is getting on and the Honourable Member will be allowed to have his full say only on the issue that is now before the House.

**Nawab Major Malik Talib Mehdi Khan**: Very good. I have shown that some Members espoused the cause of the poorer class of persons who pay tax. Lord Irwin has extended his hand of friendship and I think it would be unbecoming on the part of those for whom it is extended, not to grasp it, because it has been extended for saving the poor and also because the taxes realised from the other classes may go some way to meet the needs of those unfortunate people whose condition I have just described.

**Several Honourable Members**: The question may now be put, Sir.

(*Mr. President called Mr. Jamal Muhammad Saib to speak as he had got up.*)

**Several Honourable Members**: The question may now be put, Sir.

**Mr. President**: Since I have called Mr. Jamal Muhammad Saib, I should like to give him a chance. How long will the Honourable Member take?

**Mr. Jamal Muhammad Saib** (Madras: Indian Commerce): Five minutes, Sir.

**Mr. President:** All right, I will allow you five minutes.

**Mr. Jamal Muhammad Saib:** Sir, I have to say only a few words. This Finance Bill has been considered for the last so many days and has been discussed threadbare, and by a considered verdict of this Honourable House a certain amendment had been carried through. Now we are asked to consider an amendment to that, and that is the question which is now before the House. After all the difference is only one crore or a crore and a quarter between the amendment suggested by Government and the amendment which had been accepted by the House. Now, Sir, if the Government cannot see their way even to accept this cut of one crore and odd, I cannot believe in their earnestness in regard to retrenchment. What is the use of having a Retrenchment Committee at all?

There is another point to which I would like to invite the attention of this House, and it is this. I think the Government are committing a serious political blunder in this matter, because for such a small thing as one crore and odd rupees they have dragged in the honoured and respected name of His Excellency Lord Irwin. I cannot for a moment approve of the course which the Government have adopted in this matter. I would therefore appeal to the Government to withdraw their amendment. (*An Honourable Member:* "Question.")

**Several Honourable Members:** The question may now be put, Sir.

**Mr. President:** The question is that the question be now put.

The motion was adopted.

**Mr. President:** Amendment proposed:

"That the following be substituted as Part I to Schedule IV in the Finance Bill.

#### SCHEDULE IV.

[See section 7.]

##### PART I.

##### *Rates of Income-tax.*

A. In the case of every individual, Hindu undivided family, unregistered firm and other association of individuals not being a registered firm or a company:

	Rate.
(1) When the total income is less than Rs. 2,000 ..	<i>Nil.</i>
(2) When the total income is Rs. 2,000 or upwards, but is less than Rs. 5,000.	Six pies in the rupee.
(3) When the total income is Rs. 5,000 or upwards, but is less than Rs. 10,000.	Nine pies in the rupee.
(4) When the total income is Rs. 10,000 or upwards, but is less than Rs. 15,000.	One anna in the rupee.
(5) When the total income is Rs. 15,000 or upwards, but is less than Rs. 20,000.	One anna and four pies in the rupee.
(6) When the total income is Rs. 20,000 or upwards, but is less than Rs. 30,000.	One anna and seven pies in the rupee.
(7) When the total income is Rs. 30,000 or upwards, but is less than Rs. 40,000.	One anna and eleven pies in the rupee.
(8) When the total income is Rs. 40,000 or upwards, but is less than Rs. 1,00,000.	Two annas and one pie in the rupee.
(9) When the total income is Rs. 1,00,000 or upwards, .	Two annas and two pies in the rupee.

B. In the case of every company and registered firm, whatever its total income. Two annas and two pies in the rupee.

The Assembly divided:

AYES—56.

Abdul Qaiyum, Nawab Sir Sahibzada.  
Allah Baksh Khan Tiwana, Khan Bahadur Malik.  
Anklesaria, Mr. N. N.  
Ayyangar, Diwan Bahadur V. Bhashyam.  
Bajpai, Mr. R. S.  
Banarji, Mr. Rajnarayan.  
Baum, Mr. E. F.  
Bhargava, Rai Bahadur Pandit T. N.  
Boag, Mr. G. T.  
Chatterjee, The Revd. J. C.  
Cocke, Sir Hugh.  
Dalal, Dr. R. D.  
Fazal Haq Piracha, Shaikh.  
Fazl-i-Husain, The Honourable Khan Bahadur Mian Sir.  
French, Mr. J. C.  
Ghuznavi, Mr. A. H.  
Gidney, Lieut.-Colonel H. A. J.  
Graham, Sir Lancelot.  
Gwynne, Mr. C. W.  
Hamilton, Mr. K. B. L.  
Heathcote, Mr. L. V.  
Hezlett, Mr. J.  
Howell, Mr. E. B.  
Ismail Ali Khan, Kunwar Hajee.  
Jawahar Singh, Sardar Bahadur Sardar.  
Joshi, Mr. N. M.  
Khurshed Ahmad Khan, Mr.

Macmillan, Mr. A. M.  
Maswood Ahmad, Mr. M.  
Montgomery, Mr. H.  
Moore, Mr. Arthur.  
Morgan, Mr. G.  
Mukherjee, Rai Bahadur S. O.  
Parsons, Mr. A. A. L.  
Rafiuddin Ahmad, Khan Bahadur Maulvi.  
Raghubir Singh, Kunwar.  
Rainy, The Honourable Sir George.  
Rajah, Rao Bahadur M. O.  
Rau, Mr. H. Shankar.  
Roy, Mr. K. O.  
Sahi, Mr. Ram Prashad Narayan.  
Sams, Mr. H. A.  
Sarma, Mr. R. S.  
Schuster, The Honourable Sir George.  
Scott, Mr. J. Ramsay.  
Sher Muhammad Khan Gakhar, Captain.  
Shillidy, Mr. J. A.  
Studd, Mr. E.  
Suhrawardy, Dr. A.  
Sykes, Mr. E. F.  
Talib Mehdi Khan, Nawab Major Malik.  
Tin Tut, Mr.  
Wajihuddin, Khan Bahadur Haji.  
Yakub, Maulvi Muhammad.  
Yamin Khan, Mr. Muhammad.  
Young, Mr. G. M.

NOES—50.

Abdur Rahim, Sir.  
Aggarwal, Mr. Jagan Nath.  
Anwar-ul-Azim, Mr. Muhammad.  
Azhar Ali, Mr. Muhammad.  
Bagla, Lala Rameshwar Prasad.  
Bhuput Singh, Mr.  
Biswas, Mr. O. O.  
Chand Mal Gola, Bhagat.  
Chetty, Mr. R. K. Shanmukham.  
Das, Mr. A.  
Das, Mr. B.  
Dudhoria, Mr. Nabakumar Sing.  
Dutt, Mr. Amar Nath.  
Gour, Sir Hari Singh.  
Gunjal, Mr. N. R.  
Harbans Singh Brar, Sirdar.  
Hari Raj Swarup, Lala.  
Ishwarsingji, Nawab Naharsingji.  
Ismail Khan, Haji Chaudhury Muhammad.  
Isra, Chaudhri.  
Jadhav, Mr. B. V.  
Jamal Muhammad Saib, Mr.  
Jehangir, Sir Cowasji.  
Jog, Mr. S. G.  
Krishnamachariar, Raja Bahadur G.  
Kyaw Myint, U.  
Lahiri Chaudhury, Mr. D. K.  
Liladhar Chaudhury Seth.  
Misra, Mr. B. N.  
Mitra, Mr. S. C.  
Muazzam Sahib Bahadur, Mr. Muhammad.

Mudaliar, Diwan Bahadur A. Ramaswami.  
Mujumdar, Sardar G. N.  
Munshi, Mr. Jehangir K.  
Murtuza Saheb Bahadur, Maulvi Sayyid.  
Neogy, Mr. K. O.  
Pandian, Mr. B. Rajaram.  
Pandit, Rao Bahadur S. R.  
Parmanand Devta Sarup, Bhai.  
Puri, Mr. B. R.  
Rajah, Raja Sir Vasudeva.  
Ranga Iyer, Mr. O. S.  
Rangachariar, Diwan Bahadur T.  
Rao, Mr. M. N.  
Rastogi, Mr. Badri Lal.  
Reddi, Mr. P. G.  
Reddi, Mr. T. N. Ramakrishna.  
Roy, Kumar G. R.  
Sadiq Hasan, Shaikh.  
Sant Singh, Sardar.  
Sarda, Rai Sahib Harbilas.  
Sen, Pandit Satyendra Nath.  
Singh, Kumar Gupteshwar Prasad.  
Singh, Mr. Gaya Prasad.  
Sitaramaraju, Mr. B.  
Thampan, Mr. K. P.  
Tun Aung, U.  
Uppi Saheb Bahadur, Mr.  
Walayatullah, Khan Bahadur H. M.  
Ziauddin Ahmad, Dr.

The motion was negatived.

**The Honourable Sir George Schuster:** Sir, as the House has not agreed to the amendment which would bring the Bill into the form recommended, I would request you to endorse on the Bill a certificate that the Chamber has failed to pass the Bill in the form recommended.

**Mr. President:** The Chair will comply in due course with the provisions of the Act, the rules and Standing Orders.

The next business on the Order Paper is the election of Members of the Standing Finance Committee.

**Mr. B. K. Shanmukham Chetty:** The certificate that the Honourable Member wanted from you was that the House has failed to pass the Bill in the form recommended by His Excellency the Governor General. I submit that the House has not been given an opportunity of saying whether they will pass the Bill or not. That will arise only on the motion that the Bill be passed.

**Mr. President:** The Honourable the Finance Member has clearly stated that the House having refused to pass the Bill in the recommended form he does not wish to move the motion to pass the Bill. I do not want any further discussion on that point. I have already said that the Chair will comply with the provisions of the Act, the rules and Standing Orders.

I take it that Honourable Members are now agreeable to proceed with the election of Members of the Standing Finance Committee.

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#### ELECTION OF MEMBERS TO THE STANDING FINANCE COMMITTEE.

**Mr. President:** Members will now proceed to elect Members not exceeding 14 in number to the Standing Finance Committee for the financial year 1931-32. There are 25 candidates whose names are printed on the ballot papers which will now be supplied to Honourable Members in the order in which I call them.

(The ballot was then taken.)

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#### ELECTION OF MEMBERS TO THE STANDING COMMITTEE FOR THE DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

**Mr. President:** Members will now proceed to elect 3 non-official Members to the Standing Committee for the Department of Education, Health and Lands. There are 5 candidates whose names are printed on the ballot papers which will now be supplied to Honourable Members in the order in which I call them.

4 P.M.

(The ballot was then taken.)



## DEMANDS FOR SUPPLEMENTARY GRANTS.

### IRRIGATION, NAVIGATION, EMBANKMENT AND DRAINAGE WORKS.

**The Honourable Sir George Schuster** (Finance Member): Sir, I move:

"That a supplementary sum not exceeding Rs. 3,84,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Irrigation, Navigation, Embankment and Drainage Works'."

The motion was adopted.

### INDO-EUROPEAN TELEGRAPH DEPARTMENT.

**The Honourable Sir George Schuster**: Sir, I move:

"That a supplementary sum not exceeding Rs. 41,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March 1931, in respect of 'Indo-European Telegraph Department'."

**Diwan Bahadur A. Ramaswami Mudaliar** (Madras City: Non-Muham-madan Urban): Sir, I should be grateful if the Honourable the Finance Member will furnish the House with some information as regards this transaction. At an earlier stage of the proceedings on the general discussion of the Budget I said that we did not have completed information on this subject and that we would be grateful if further details were furnished. I find from the speech of the Honourable the Finance Member in introducing the Budget that he said that a net cash credit of 54 lakhs was coming to the Government on account of this transaction. I now find from the proceedings of the Standing Finance Committee that the net cash credit is about 49 lakhs.

"The settlement now agreed upon would result in a net cash credit of approximately 49 lakhs to the Government of India after allowing for the expenses in connection with the arrangements of transferring the system to other hands."

I should also like to know what the position with reference to the staff employed for this Department is. I find that about 10 lakhs is required towards expenses. I should like to know the nature and the details of this expense. I should also like to know the amount of the gratuity that has been paid to the various members of the staff, namely, the total amount that has been disbursed. I should further like to know if the Honourable the Finance Member will be pleased to give the information what was the book value of the assets of this Company in the last financial year. This information will enable us to understand the details of the transaction.

(At this stage Mr. President vacated the Chair which was taken by Mr. Deputy President.)

**The Honourable Sir Joseph Bhore** (Member for Industries and Labour): Sir, I should like to say a few words in regard to the sale of the Indo-European Telegraph Department, in regard to which my Honourable friend Diwan Bahadur Ramaswami Mudaliar has just asked for some information. I recognise that the House is interested, and rightly interested, in what was in the past a revenue producing asset of the Government

of India, and it has the right to ask for information on any point on which it is not quite satisfied. I would like to deal with this matter mainly from the commercial point of view, because I feel that it is on that basis that a final judgment must be passed. The House is aware that the Inchcape Committee recommended, with one dissentient, that this asset should be sold at the earliest suitable opportunity. The dissentient's objection was to parting with an asset which had in the past brought revenues of considerable magnitude to the Government of India. That objection no longer holds good. It is some years since we have passed from an era of profits to the era of growing deficits and that, for a reason which we are unable either to eliminate or to control. I should like to give to the House some information about the losses that we have sustained during the past three years from the Indo-European Telegraph Department. In 1927-28, our net loss was Rs. 2,85,000. In 1928-29, it had risen to Rs. 6,78,000 and in 1929-30 it had grown still further to Rs. 7,35,000. The main reason for these losses was the intensity of beam wireless competition and that competitive factor, so far from decreasing will grow year by year. For instance the Persian Government now have a powerful beam wireless station at Tehran and the House will realise the effect of that competition on cables and land telegraph traffic. Faced with this situation, we did what I venture to think any good businessman would do. We sold, while it was still possible to sell to advantage. The reason why we were able to sell to advantage was due almost entirely to the existence of a very favourable pooling arrangement under which a large portion of the losses had to be borne by the Company which has now bought this asset from us. The reason why we were able to sell, I say, to advantage, was because we had the nuisance value of this arrangement to sell to the Company. They benefited and we benefited by the transaction. We were able to turn a growing deficit into a substantial cash asset. They will be able to reduce their expenditure by eliminating duplications and by introducing unity of control.

I should just like to say one word with regard to the staff which has been disbanded. We have given to that staff generally the terms which are given to a staff on disbandment, but we have had to be a little more generous than usual. That staff has served us faithfully and well in conditions which are among the most trying in the world. The main terms were scrutinised by my predecessor, who as the House knows had an unrivalled knowledge in these matters. It is, of course, a question of opinion, but I have no hesitation in saying that the terms were not by any means extravagant, but merely represented just and fair treatment. I have the terms here and it will take some time to repeat them, but if my Honourable friend desires, I shall be happy to convey the information to him separately. But I should like to emphasise this point, that we have been able to get a sum of £450,000 for an asset the book value of which stood at about Rs. 78 lakhs, and which was bound to involve us in a heavy increasing annual loss. I leave it, Sir, to this House to decide whether the deal which we have entered into was not a wholly satisfactory arrangement. If I am arraigned before any tribunal for my complicity in this transaction, I would plead not palliation, not excuse, but the firm conviction that this was the best arrangement that could have been entered into in the interests of the Government of India. (Hear, hear.)

**Mr. Deputy President:** The question is:

"That a supplementary sum not exceeding Rs. 41,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Indo-European Telegraph Department'."

The motion was adopted.

INTEREST ON ORDINARY DEBT, AND REDUCTION OR AVOIDANCE OF DEBT.

**The Honourable Sir George Schuster:** I beg to move:

"That a supplementary sum not exceeding Rs. 1,55,99,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Interest on Ordinary Debt, and Reduction or Avoidance of Debt'."

The motion was adopted.

COUNCIL OF STATE.

**The Honourable Sir George Schuster:** Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 15,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Council of State'."

**Diwan Bahadur T. Rangachariar:** I should like to have some information. On page 753 of the proceedings of the Standing Finance Committee, dated the 14th March, 1931, it is stated:

"This (*referring to the allotment*) had now been found to fall considerably short of the actual requirements, there being a larger attendance of members during the current session and a greater number who availed themselves of the concession of travelling in a reserved compartment."

May I ask whether the attention of the Honourable Members of the Council of State was directed to the financial crisis we were passing through and whether they would not waive their right of travelling in a reserved compartment?

**Sir Hari Singh Gour** (Central Provinces Hindi Divisions: Non-Muhamadan): In this connection, may I remind the Honourable the Finance Member of what took place in the first Assembly, when a Resolution was moved and passed that equalisation of Members of the two Houses should be insisted upon, and thereupon the Honourable Mian Sir Muhammad Shafi, who was then a Member of the Council of State, gave an assurance to this House that he would use his good offices to see that in all respects the status and emoluments of the Members of the two Houses would be equalised? He did move in the Council of State for the purpose of bringing down the travelling allowances and the reserved compartments to the same level as that of the Members of this House. But it was opposed by non-official Members, and thereafter the Government gave way. I think the time has now come when the Government must make good their promise which was given to the first Assembly, and in all respects equality of status and emoluments between the two Houses should be established.

**The Honourable Sir George Schuster:** In answer to the question of my Honourable friend, the Leader of the Opposition, I can tell him that no steps of the kind that he suggested were taken. I think probably it would be one of the last things that we should seek to do to take away the privileges of the Members of either House of the Legislature. But if my Honourable friend wishes to make a suggestion and have that suggestion considered by Honourable Members in another House, I should be very glad to take a note of my Honourable friend's suggestion.

**Diwan Bahadur T. Rangachariar:** I make that suggestion for being taken to the other House so that in a time of financial crisis they would waive this privilege of travelling in reserved compartments.

**The Honourable Sir George Schuster:** I will take a note of my Honourable friend's suggestion.

As regards the question raised by my Honourable friend, Sir Hari Singh Gour, I must ask for time to look up the records of this subject. It does not concern my own Department and I am only dealing with it because it is referred to in connection with this supplementary Demand. If my Honourable friend will give me time, I will look into the matter and inform him of the present views of the Government.

**Mr. Deputy President:** The question is :

"That a supplementary sum not exceeding Rs. 15,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Council of State'."

The motion was adopted.

#### MINT.

**The Honourable Sir George Schuster:** Sir, I beg to move :

"That a supplementary sum not exceeding Rs. 21,50,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Mint'."

**Mr. B. V. Jadhav** (Bombay Central Division: Non-Muhammadan Rural): Sir, I should like to know how this loss was incurred.

**The Honourable Sir George Schuster:** As my Honourable friend is probably aware, when currency and coinage is put into circulation, a profit is made by the Government as a result of that process. The nickel coin costs Government only the cost of the metal and of coining it, and the Government, when they pay out the coin, get credit for the full face value. Therefore the difference between the bullion value of the coin and its face value accrues as profit to Government which is commonly known as "Seigniorage". In normal times there is a steady flow of small coin into circulation, but it was a very remarkable feature of the last year that there has been not only a very substantial return of silver rupees from circulation—that is a feature which has been going on for some time—but during the last year there has been a very substantial return of small nickel coinage from circulation. I have the figures here of the profits that have been

[Sir George Schuster.]

credited to the revenues in the past years, and it might interest the House to know how the thing has gone on. From 1924-25 onwards the profits were:

1924-25—36½ lakhs.

1925-26—Just over 28 lakhs.

1926-27—3.8 lakhs.

1927-28—26.43 lakhs.

1928-29—37.19 lakhs.

1929-30—16.2 lakhs.

In 1930-31 our revised estimate is a loss of 21½ lakhs. That is a very striking feature in the present situation and it brings before the Honourable Members' notice very prominently one of the exceptionally adverse financial factors in the current year's results which have gone to contribute to the deficit which we expect for the coming year.

**Mr. B. V. Jadhav:** Then am I to understand that nickel coins are melted when they are returned to the Treasury and for that reason this loss is incurred?

**The Honourable Sir George Schuster:** I could not quite catch my Honourable friend, but when the coin is returned Government has obviously lost the profit on that coin and has to take the coin back. The coin cannot be kept in our reserves at anything more than its bullion value and therefore there is a loss of profit when the coin is returned. This loss represents the net amount of nickel coin that has been returned from circulation in the current year.

**Mr. B. V. Jadhav:** Then am I to understand that when silver coin is returned to the Treasury in the same way the bullion value is only taken into account and the difference between the bullion and rupee values is written down as loss?

**Mr. Deputy President:** Order, order. The Honourable Member is asking questions about the composition of the Paper Currency Reserve which I think he might as well talk over with the Finance Member in private.

The question is:

"That a supplementary sum not exceeding Rs. 21,50,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Mint'."

The motion was adopted.

#### REFUNDS.

**The Honourable Sir George Schuster:** Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 6,55,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Refunds'."

The motion was adopted.

## LOANS AND ADVANCES BEARING INTEREST.

**The Honourable Sir George Schuster:** Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 1,86,20,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Loans and Advances bearing Interest'."

**Diwan Bahadur T. Rangachariar:** Sir, may I have information on one point? We heard that there was a proposal to grant a loan free of interest or at a small rate of interest to His Majesty the King of Afghanistan. Does that come under this amount or under any other amount?

**The Honourable Sir George Schuster:** No, Sir. That particular transaction is not included under this head.

**Diwan Bahadur T. Rangachariar:** So it is a fact that the loan is going to be advanced?

**The Honourable Sir George Schuster:** Certain transactions have been arranged in the course of the last year with Afghanistan in accordance with a policy which had been laid down some time ago. I think my Honourable friend the Foreign Secretary would be able to give detailed information on this point. I should hesitate not to give a reply when my Honourable friend the Leader of the Opposition asks me a question, but I venture to suggest that this question does not really come under this particular Demand, but if my Honourable friend would like to have information on this subject, I will communicate his question to the Foreign Secretary.

**Diwan Bahadur T. Rangachariar:** I should very much like to have that information. At this time, when we are in a financial crisis, I want to know whether there is going to be taxation for the purpose of giving this loan free of interest. It is for that purpose that I want this information.

**Mr. K. O. Neogy** (Dacca Division: Non-Muhammadan Rural): Sir, I want to ask a question which I trust has nothing to do with the Foreign Department and may bear on this particular point. I saw from an answer given to a question in another place, that the Government have advanced a pretty large sum as loan to a private individual—I do not want to name him—at a rate of interest which is about half the rate at which Government themselves have been borrowing. I trust the Honourable Member will be able to identify the case and I should be very much obliged if the Honourable Member will tell this House the reasons for this extraordinary banking principle that he has adopted.

**The Honourable Sir George Schuster:** I am afraid I cannot identify the case, but I did not hear everything that the Honourable Member said.

**Mr. K. O. Neogy:** I did not want to give the name here, but I am afraid I have to; it is the Nawab of Dacca.

**The Honourable Sir George Schuster:** I am afraid that, without notice, I cannot give my Honourable friend full information on that particular transaction.

**Diwan Bahadur T. Rangachariar:** We wish to know, on this subject of transaction of loans being made by the Government of India from money raised by taxation, whether they will take care to see that money raised by taxation is not advanced free of interest on loans to private individuals or others at a time of financial crisis when we ourselves are borrowing at heavy rates of interest.

**The Honourable Sir George Schuster:** The policy of the Government of India in those matters is of course very carefully watched by my Department from the financial side. I think what my Honourable friend has in mind is this arrangement with Afghanistan, and there are very special circumstances in the case which, as I have already said, if my Honourable friend desires information, I think should be communicated fully to him in a manner which I cannot offhand do. I do not think I can do it to his satisfaction or to my own.

**Mr. C. S. Ranga Iyer:** When such loans are granted to private individuals, may I put it to the Honourable the Finance Member that it would be desirable to consult the House, which is the custodian of the interests of the tax-payer, and place before this House the special circumstances under which he feels called upon to advance such loans from the taxpayers' money? I hope the Finance Member has followed me.

**Mr. Deputy President:** I am afraid I cannot allow a discussion on the general policy of the loans and advances of the Government of India; it has been ruled in the past that on a motion for a supplementary grant questions involving general policy cannot be discussed; and unless the question that my Honourable friend puts to the Finance Member relates to an item which is included in the supplementary Demand, a discussion on that cannot be allowed. It is for the Finance Member to say whether the questions which have been raised in the course of this debate relate to items included in the Demand.

**The Honourable Sir George Schuster:** No, Sir; none of the questions raised relate to items included in this Demand; and that of course brings out the fact that there is a certain distinction between voted and non-voted expenditure. Everything which has to do with voted expenditure automatically comes before this House; but non-voted expenditure, according to the present constitution, does not; and that explains the difference between some items that have been discussed and those that are now included in this Demand.

(At this stage Mr. President resumed the Chair.)

**Diwan Bahadur T. Rangachariar:** May I take advantage of the courtesy of the Finance Member and suggest to him that this loan to His Majesty the King of Afghanistan should be shared by the British Exchequer or possibly the whole of it might be borne by them and not by the impoverished Government of India?

**The Honourable Sir George Schuster:** I do not know, Sir, whether you have heard the ruling which has been given by the Deputy President; but according to his ruling I should not be entitled to answer the question of my Honourable friend.

**Diwan Bahadur T. Rangachariar:** I only made a suggestion for your action—I am not asking for an answer.

**The Honourable Sir George Schuster:** I can only say that my Honourable friend's mind moves in very much the same way as my own does on that particular question.

**Diwan Bahadur A. Ramaswami Mudaliar:** May I know what is the rate of interest for the loan that has been advanced to the Bahawalpur Durbar which is specifically within the supplementary Demand?

**The Honourable Sir George Schuster:** Six per cent.

**Mr. President:** The question is:

"That a supplementary sum not exceeding Rs. 1,86,20,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Loans and Advances Bearing Interest'."

The motion was adopted.

## THE INDIAN INCOME-TAX (SECOND AMENDMENT) BILL.

**Some Honourable Members:** Shall we now adjourn?

**Mr. President:** The Chair wishes that the Honourable Member should move his motion and the House should then adjourn till tomorrow.

**The Honourable Sir George Schuster (Finance Member):** I move:

"That the Bill further to amend the Indian Income-tax Act, 1922, for certain purposes, be referred to a Select Committee consisting of Mr. R. K. Shanmukham Chetty, Diwan Bahadur T. Rangachariar, Mr. Jagan Nath Aggarwal, Diwan Bahadur A. Ramaswami Mudaliar, Sir Cowasji, Jehangir, Sir Hugh Cocke, Mr. A. H. Ghuznavi, Rao Bahadur S. R. Pandit and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

I take it that it is not your intention that I should make any speech on the subject now but merely that I should move the motion.

**Mr. President:** I would prefer if the Honourable Member will explain why he wants a Select Committee in view of the several amendments for circulation; if the Honourable Member places his own case before the House, the discussion on the amendment will be simplified; but I cannot force the Honourable Member to do so; he can do what he likes.

**The Honourable Sir George Schuster:** I trust that Honourable Members will recognise that I had not expected that we should get to this business today, but . . .

**Mr. President:** If the Honourable Member is not ready, I will put it off till tomorrow.

**The Honourable Sir George Schuster:** I think I can explain quite shortly what the position is; I will not attempt to go into any details of the provisions of the Bill. I have already on other occasions explained to the House that we were anxious on the Government side to get this



[Sir George Schuster.]

legislation through as quickly as possible because we believed that if this Bill could be passed into law and come into operation at the beginning of the next financial year, it would produce substantial revenue and would also have other beneficial effects on the general financial situation. But the Bill as drafted is only drafted to come into operation on the 1st April, 1932; and when I referred the other day to the idea of bringing it into earlier operation I had in mind that it might be possible that it should be amended in Select Committee to come into operation a year earlier. Now, as I see on the paper several motions for circulation coming from different quarters of the House, I wish to make it clear that the intention to get it through very quickly, almost to "rush it" through this session, was never intended to prevail against any general feeling in this House that that was treating legislation on a very important matter with too great rapidity; and if those Honourable Members who have put down motions for circulation wish to press for circulation and have support in this House, then we would accept the motion for circulation. But it was our intention in any case to move for the appointment of the Select Committee; what we had in mind was that we should get the Select Committee appointed and then circulate the Bill by executive instruction, endeavour to get opinions some time before the Simla Session and get the Report of the Select Committee before the House at the beginning of the Simla Session, so that this legislation could be passed in good time, if the House approves of it during the Simla Session, and therefore, Sir, I would still move for the appointment of a Select Committee, although I would accept the motion for circulation if that appears to be the wish of a substantial body of Members in this House. Sir, I move.

**Sir Cowasji Jehangir** (Bombay City: Non-Muhammadan Urban): May I ask one question before the Honourable the Finance Member sits down?

**Mr. President:** Please wait. Motion moved:

"That the Bill further to amend the Indian Income-tax Act, 1922, for certain purposes, be referred to a Select Committee consisting of Mr. R. K. Shanmukham Chetty, Diwan Bahadur T. Rangachariar, Mr. Jagan Nath Aggarwal, Diwan Bahadur A. Ramaswami Mudaliar, Sir Cowasji Jehangir, Sir Hugh Cocke, Mr. A. H. Ghuznavi, Rao Bahadur S. R. Pandit and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Now, the Honourable Member can ask his question.

**Sir Cowasji Jehangir:** In the procedure suggested by my Honourable friend, would it imply that the House accepts all the principles of the Bill? There are so many principles involved in the Bill that, unless we really go into every principle, it will be difficult to bind ourselves to all the principles of the Bill. If you would accept that, then the procedure would exempt us from being bound to every principle involved in the Bill.

**The Honourable Sir George Schuster:** So far as I am concerned, Sir, I have no intention of binding the House in any way at all. I merely suggested this procedure as being the most convenient way of dealing with this particular piece of legislation. I am not sure where there is any precedent for the course that I propose, but I would certainly suggest that it ought to be possible to adopt it without embarrassing any Member of the House in the way that has been suggested by my Honourable friend. It is certainly our intention not to introduce any embarrassment of that kind.

**Mr. President:** In view of what has fallen from the Honourable the Mover, I should like to ask Mr. Biswas how much time he will take to move his amendment if I call upon him to do so.

**Mr. C. C. Biswas** (Calcutta: Non-Muhammadan Urban): Since we have to go into the question of the principle of the Bill, I might take about half an hour, Sir.

**Mr. Amar Nath Dutt** (Burdwan Division: Non-Muhammadan Rural): Raja Bahadur Krishnamachariar who has an amendment standing in his name is not here, Sir.

**Mr. President:** That will come later.

**Mr. R. K. Shanmukham Ohetty** (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): Sir, in the light of the procedure suggested by the Finance Member, I would like to suggest to my Honourable friend Mr. Biswas and to this House that it will on the whole suit the convenience of this House if that procedure is accepted and the discussion cut short. After all, so far as I am able to read the principle of the Bill, it is simply this, that we ought to tax foreign investments, and that, I suppose, would be a principle which would be acceptable to every one of us. If that is so, and if the Bill is circulated for executive action to the various persons and bodies who are competent to express an opinion, the Select Committee might meet before the Simla Session, and by that time the opinions of the various bodies in the country would be available to the Select Committee, and probably, Sir, the Select Committee might make its Report in time for the Simla Session, and in the light of the suggestion thrown out by the Honourable Member, I would like to ask Honourable Members to consider whether it would not really meet the object in view.

**Mr. N. R. Gunjal** (Bombay Central Division: Non-Muhammadan Rural): My suggestion with regard to a Retrenchment Committee is . . .

**Mr. President:** This has nothing to do with the Retrenchment Committee.

**Mr. N. R. Gunjal:** My suggestion is that if there is one Member from each Province it will be a good thing.

**Mr. President:** That is not the issue before the House now. With reference to what has fallen from the Deputy President, I should like to tell the House that four Members have given notice for circulation, and Mr. Biswas, one of them, wishes to move his amendment and expects to take half an hour in doing so. The Chair has therefore no alternative but to adjourn the House till tomorrow.

I should like to remind Honourable Members that His Excellency will address the Members of both Houses tomorrow at 11 o'clock, and the Assembly will meet thereafter at 12-15 for the transaction of business. I therefore adjourn the House till 12-15 tomorrow, and I expect Honourable Members will be here in time to hear His Excellency address the joint session.

The Assembly then adjourned till a Quarter Past Twelve of the Clock on Saturday, the 28th March, 1931.



# LEGISLATIVE ASSEMBLY.

*Saturday, 28th March, 1931.*

## ADDRESS BY HIS EXCELLENCY THE VICEROY TO MEMBERS OF THE COUNCIL OF STATE AND THE LEGISLATIVE ASSEMBLY.

**His Excellency the Viceroy** (who was given a great ovation on entering the Chamber): Gentlemen, I have come to take formal farewell of the Members of both Houses of the Central Legislature, and it is not therefore my intention to embark upon matters of controversy. It might however appear discourteous to the House if I were to pass over without remark the difficult position that has developed in connection with the Finance Bill. Before finally deciding upon the action it may be my duty to take, I propose to convene a small conference of Leaders in both Houses with the members of my Government to discuss the situation.

This occasion of farewell for me is of necessity tinged with much regret, for it marks the close of my official connection with these two bodies, whose deliberations I have always watched with the keenest interest, and whose presence in Delhi and Simla has given me the privilege of meeting, and taking counsel with, so many public men from all quarters of India.

This might seem to be the moment to survey the past five years, and to sum up the progress which has been achieved in the various spheres of the national life in which we here, as devotees of the science of politics, are particularly interested. But I know, gentlemen, that you are drawing to the close of an arduous session, and I do not wish to detain you long. Nor is the period of a Viceroyalty necessarily a self-contained era and, though to a Viceroy his five years of office must always appear as an outstanding epoch of his life, the historian of the future will be likely to mark the passage of events by tendencies, rather than by persons who for a period were privileged to play their part upon this great stage.

But before taking leave of you, there are a few things which I should like to say. First of these is to express to you something of the debt in which I and my Government feel you have placed us by your very presence here this session. During the last year the country has passed through dark days. It was the opinion of some that nothing good could come out of participation in the legislative bodies of this country. You, gentlemen, thought otherwise, and, in acting as you did, you acted, many of you, in the face of unpleasantness, risks and bitter reproaches of which I am only too well aware. Had you not had the courage of your convictions, the continuity of Indian parliamentary progress might well have suffered a rude set-back, and therefore it is not only I and my Government, but the whole country, who owe you gratitude for the service you have rendered. In this appreciation of your public spirit I would wish

[H. E. the Viceroy.]

also to include, with grateful recognition, the members of your sister-bodies in the Provinces. We cannot now predict how soon a revised constitution can be framed and brought into being; but I would wish here to assure you, if such assurance is required, that there is not, and never has been, any intention in my mind of putting an earlier term to the life of the present legislature than that which is laid down by the Government of India Act, or may be rendered necessary by the supervision of a new constitution.

At present most of us are absorbed in the problems of the immediate future, and it may be that there are some who feel that, beyond the careful discharge of their duties within the House, there is little that can be done of use outside in their capacity of representatives of the people. But I would venture, not in any spirit of infallible knowledge but as one who has been brought up among politics in a country, where political institutions have flourished for several centuries, and from which therefore there is perhaps something to be learnt, to suggest one direction in which Members of the Legislatures can do much. That work is the political education of their constituents. I am well aware of the difficulties in the way—the wide areas to be covered, in many cases the difficulties of travel, and the lack of education among a large proportion of those to whom they must appeal. But these are difficulties which can be overcome, and I conceive it to be one of the many obligations resting upon the Members of this Legislature, on whom depends in so large a measure the standard of political thought, that they should strive to bring home to their electorates the rights and responsibilities of each elector and thus perform a work of immense benefit in the evolution of the constitutional life of India.

I need not tell you, gentlemen, how earnestly I hope that whatever may be done within these walls, under the present constitution, or under whatever changed conditions the future may have in store, may redound to the benefit and happiness of the people of India. Controversy there must be, for controversy is an inseparable feature—if not the very purpose—of parliamentary institutions. But I trust that, in all the clash of opinion and debate, rancour and bitterness may here find no place, and that, if men must differ as to the method most suited to attain the ultimate object that all seek to serve, they may agree in paying mutual respect to the motives which underlie their actions. I would go further and ask that, whenever Members of these Houses feel constrained to disagree with views advocated by their brother politicians in England, they will at least not lightly be tempted to question their sincerity. I shall be in England, the majority of you will remain in India. Though many miles will separate us, I trust that our association in the objects which we both have so close at heart may not be impaired. In all sincerity I would assure you of my abiding interest in every matter that concerns the political life of India and of the attention with which I shall follow the record of your achievements, both corporate and individual. (Applause.) In bidding you farewell, I earnestly wish that all good fortune may attend you, and that every blessing may rest upon the people of India whom you represent, and among whom it has been my

privilege and happiness to live and work during the last five years.  
(Prolonged applause.)

(His Excellency then expressed a wish to take leave of all the Members personally, and shook hands with all the Members present, who approached the dais in turn for the purpose.)

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. The Assembly met in the Assembly Chamber of the Council House at a Quarter Past Twelve of the Clock, Mr. President in the Chair.

**Mr. President:** Honourable Members are aware that in the course of his observations this morning His Excellency the Viceroy intimated that he wished to consult the Leaders of all Parties in the Assembly and in the Council of State in regard to the Finance Bill. In consequence of that intimation the Leaders of Parties in the Assembly are now engaged in consultation with His Excellency the Viceroy. I take it that it is the wish of the House that I should adjourn the meeting now and request Honourable Members to come here after Lunch. I, therefore, adjourn the House till 2-15 P. M.

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The Assembly then adjourned till a Quarter Past Two of the Clock.

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The Assembly re-assembled after Lunch at a Quarter Past Two of the Clock, Mr. President in the Chair.

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#### ELECTION OF MEMBERS TO THE STANDING FINANCE COMMITTEE.

**Mr. President:** I have to inform the House that the following Members have been elected to the Standing Finance Committee, namely:

1. Mr. G. Morgan.
2. Mr. B. Sitaramaraju.
3. Rai Sahib Harbilas Sarda.
4. Mr. R. S. Sarma.
5. Mr. Arthur Moore.
6. Nawab Sir Sahibzada Abdul Qaiyum.
7. Rai Bahadur S. C. Mukherjee.
8. Dr. Ziauddin Ahmad.
9. Mr. Muhammad Muazzam Sahib Bahadur.
10. Rao Bahadur S. R. Pandit.
11. Mr. Jagan Nath Aggarwal.
12. Sirdar Harbans Singh Brar.
13. Mr. Gaya Prasad Singh.
14. Mr. S. C. Jog.

## THE INDIAN INCOME-TAX (SECOND AMENDMENT) BILL.

**Mr. C. O. Biswas** (Calcutta: Non-Muhammadan Urban): I beg to move that the Bill to amend the Indian Income-tax Act, 1922, for certain purposes, be circulated for the purpose of eliciting opinion thereon by the 31st July, 1931.

My reasons for doing so are these. There can be no question that this Bill proposes to introduce a new principle in the Indian Income-tax Act. That principle is this. It is suggested for the first time in India that foreign incomes should be taxed, although they do not accrue or arise or are not received in British India. The existing provisions of the law, I presume, are well known to Members of this House. The present law is that it is only income which arises or accrues in British India or is received in British India that is liable to income-tax. There is one exception namely, that in the case of business. If income is derived from business outside British India, it is liable to be taxed, provided, however, such income is remitted to British India within three years. The suggestion that foreign income might be taxed was considered by the Indian Taxation Committee in the course of their inquiries. Later on, Sir Walter Layton in his Report also suggested that this was a source of taxation which ought to be explored, and explored not merely for the purpose of deriving additional revenue, but also for the purpose of checking the flow of capital out of India. This Bill, Sir, is designed to give effect to these objects which had been set out in Sir Walter Layton's Report.

My first grievance in connection with this Bill is this, that it has been brought before us without giving an opportunity to the persons concerned to express their opinions upon it. It is an innovation. There can be no question about it. In the Statement of Objects and Reasons it is explained that it is proposed in this Bill to follow the lines of the English law on the subject, but I believe I am not incorrect in stating that, except in England, this principle of taxation of foreign incomes does not obtain in any other part of the British Empire. The implications of this are very serious. So far as additional revenue is concerned, the Indian Taxation Enquiry Committee came to the conclusion that the loss of revenue was not very much. As regards the other object, namely, the prevention of capital going out of India, it might no doubt achieve that purpose to some extent, but I submit that that object should have been achieved and could have been achieved in a much more effective manner by other means. Some of these means had been suggested by my Honourable friend, Mr. Chetty, in the course of the Budget discussion, namely, the utilisation of the Debt Redemption Fund for open market operations, in purchasing Government securities both here and in England as and when their prices sagged. I will not go into that question. The Finance Member in his reply to Mr. Chetty touched upon that, but I submit that he did not give any effective reply to the arguments which had been brought forward by Mr. Chetty. The Finance Member was obliged to admit that the psychological effect of such open market operations would be tremendous, but he thought it would be a drop in the ocean. I am not satisfied that it would be a drop in the ocean,—that it would not have much larger and more beneficial effects. That remains to be seen. The

experiment has yet to be tried. However, Sir, I will confine myself to the present Bill. There is in it not merely the principle of taxing income accruing abroad, but more than that, there is another principle lurking behind the apparently innocuous provisions of it which ought to be taken serious notice of. I refer to the principle which is embodied in clause 4 of the Bill. That principle is one of differentiation between two classes of persons whose foreign income it is proposed to subject to taxation for the first time. If you look at that clause, you will find item (a) of sub-clause (1) thereof refers to income which accrues or arises to a person in British India during the year, and so far as that is concerned, there is not much to say about it, but when you come to the next two items, there is a dangerous differentiation to which I take very strong exception. These deal with foreign income. Clause (b) deals with income which accrues or arises to a person without British India, where that person is *both resident and domiciled* in British India, whereas clause (c) deals with income which accrues or arises to a person without British India, where that person is *merely resident in British India, but not domiciled there*. In the case of a person who is both resident and domiciled, the Bill suggests that the tax should be levied on that income during the year in question, whether that income is brought back into India or not; whereas in the other case, where you are dealing with a person who is resident in India but has not an Indian domicile, it is provided that the tax will be assessed *only in so far as the income is brought into, or is received in, British India*. I submit, Sir, no explanation has been offered in the Statement of Objects and Reasons to justify such a discrimination. Let us consider for one moment what it means. It means, in effect, discrimination between Indians and those who are not Indians, mainly, my British and European friends. If an Indian has any investments abroad, he will have to pay Indian income-tax upon such investments, because an Indian would be a person who has not merely his residence, but also his domicile here; but in the case of an Englishman, ordinarily he will not be a person with an Indian domicile. The Englishman who comes out to India for business or for any profession does not generally renounce his English domicile. No doubt it is open to him to do so, but ordinarily, in ninety-nine cases out of a hundred, or even more, almost in cent. per cent. cases, the Englishman who comes out to India retains his English domicile. Therefore, Sir, whereas an Englishman who has his investments abroad would be ordinarily exempt from the proposed new taxation, because he would be a person who is resident, but not domiciled, in India,—and it is only when that income is brought to India that it will be taxed, it would be otherwise with an Indian. No doubt the proposed law goes to some extent beyond what we find in the present Indian Income-tax Act. The present Act provides, as I have already pointed out, in section 4, sub-section (1), that it is only where there is a business abroad and the income derived from it is brought or remitted to British India within 3 years of the end of the year in which the income accrued, that it is assessed to income-tax. If it is not received in or brought into British India within three years, it is not taxed. This limitation is now done away with, so also the other limitation, that it must be income derived from business. All the same, Sir, I do not find that any case has been made out for drawing any such distinction as has been done between clauses (b) and (c). What happens now-a-days is this. We know in Calcutta, for instance, our High Court Judges go on leave, and their



[Mr. C. C. Biswas.]

leave salaries they draw not here but in England. What happens? The leave salaries are exempt from Indian taxation, and they are exempt from English taxation as well. In passing, I may add that this encourages the habit of non-Indian servants of the Crown prolonging their stay in England as much as they can, with the result that India loses the benefit of their services to that extent, services for which India has got to pay. All this will remain as it is wholly unaffected by the Bill, except that if it is an Indian going to England on leave, he will have to pay the tax. So, Sir, I consider that this is a dangerous principle which is being laid down in this Bill, and one reason why I am not prepared to accept the suggestion which was made by the Honourable the Finance Member yesterday that we might agree to a Select Committee now and then leave it to the executive to obtain opinions for circulation, is this,—because it might commit the House to an acceptance of this very mischievous and obnoxious principle. I do not know if the Honourable the Finance Member would be willing to leave this question open also.

**Sir Hari Singh Gour** (Central Provinces Hindi Divisions: Non-Muhamadan): That cannot be done under the Standing Orders and Rules, even with the consent of the House.

**Mr. C. C. Biswas:** My Honourable friend, Sir Hari Singh Gour, points out that under the Standing Orders and Rules, even with the consent of the House, this cannot be left open; so in that view, I must oppose reference to a Select Committee. I am anxious, Sir, that this question must be thoroughly gone into; and it is not, in my opinion, sufficient justification to say that in England the practice is to tax income arising or accruing abroad. The conditions there and the conditions here are not the same. They are not faced there with any such question of racial discrimination, as we are in India. In effect, Sir, this amounts to racial discrimination; and I for one would not be a party to any legislation which embodies such discrimination in favour of persons resident but not domiciled in India. If you want to tax incomes arising abroad, well, let that taxation apply to all equally. Make residence the test of liability, if you will, but make that test uniform in all cases. Sir, I do not know who is responsible for drawing up the Statement of Objects and Reasons, but with all respect I must say, the Statement is very disingenuous. The Statement says this:

“Under the Indian Income-tax Act of 1922 (Act XI of 1922), while liability to tax is in certain circumstances affected by the residence of the person concerned, it depends mainly on the ‘origin’ of the income (that is to say, the place where it accrued or arose) and the place where it is received.”

That is to say, it depends on whether the income was received in British India or not; and then, Sir, later on, it says:

“It is therefore considered desirable to amend the law, following the lines of the law in force in the United Kingdom, so as to make residence the *main* basis of liability, while still retaining origin and remittance into British India as bases of liability in certain circumstances.”

Now, why should that be so? Why should residence be made the “main” basis, and why should residence be the main basis only in cases of Indians, that is to say, of persons *resident and domiciled*, whereas origin

or remittance to British India should still be left as the criterion in other cases? The Statement says:

"while still retaining origin and remittance into British India as bases of liability in certain circumstances."

Why should there be such "*certain circumstances*"? That, Sir, I object to, and object to very strongly. I am sure none of my friends here will for one moment be prepared to admit any such unfair discrimination against Indians.

Apart from this, Sir, there are other difficulties, which do not appear to have been adequately considered or provided for. Sir, this will inevitably lead to questions of double taxation or treble taxation or quadruple taxation or multiple taxation. How is it proposed to meet those difficulties? I do not find any provisions anywhere to meet that aspect of the matter. Section 49 of the Indian Income-tax Act now deals with the question of double taxation only in respect of the United Kingdom, and provides some relief. It is working in a satisfactory manner from the Indian point of view. The major part of the cost of relief falls on the British exchequer, and from that point of view, it is welcome, but, Sir, if you have this Bill, the United Kingdom is not the only country which you have got to deal with; there will be other countries as well. What arrangements are you going to make in order to avoid multiple taxation? That is a very important question, Sir, and it would not do merely to afford relief in the case of the United Kingdom: you must be fair and square, and that is a very very difficult matter. Take a concrete case, by way of example. Suppose, a person, resident in India, has his domicile in England and holds certain railway securities, and suppose these securities are in a safe deposit vault in France; the railway itself has its head office in Germany, and its track may be traversing a number of countries in the Continent. Where and how is the income derived from those securities to be taxed? It will not be fair to subject a man to taxation in respect of the same income in more than one place. So, such questions of conflict of jurisdiction are bound to arise. And if they arise, they will have to be dealt with and provided for. There is no provision in this Bill for that purpose. It will not do to say that the Government of India will frame rules in that behalf. It is not a matter which can be left to be disposed of in that way. You do not dispose of a matter of that kind, so far as the United Kingdom is concerned, by means of rules. You have a specific section (Section 49) inserted in the Act itself, and it will not be so simple in the case of other countries as it is in the case of the United Kingdom. These reciprocal arrangements have got to be made, and they have got to be provided for. And that, I submit, does require more adequate consideration than seems to have been bestowed on this aspect of the question.

Sir, as I have said, this identical proposal, which is now before us, had been put forward in Sir Walter Layton's Report, and it passes my understanding what prevented the Government from inviting public opinion on that proposal, if it was their intention to bring forward a Bill on the lines of that suggestion. It is not fair to come up here nearly at the fag-end of the session with a Bill of this kind, and then to move that the matter be referred to a Select Committee and be passed forthwith. That is not a fair way of doing it.

[Mr. C. C. Biswas.]

Then there is another question to be considered. We are on the eve of constitutional changes, and we have before us the promise or the prospect of a Federation. The Indian States may come into that Federation. Well, Sir, we shall have to consider the question as between British India and the Indian States. How are you going to adjust the income-tax as between British India and the Indian States? Sir, if there is a Federation, then you have got to consider the question whether the income-tax will be a local tax, a State tax or a Federal tax. As we are working against time, I do not wish to go into that question, but I had been studying this matter and in Seligman's book, a very interesting book, I find that a whole chapter is devoted to the consideration of this question as to whether the income-tax should be a Federal tax or a State tax; and the difficulties involved in the solution of this question are fully explained therein. If in the new constitution income-tax is to be something on Federal lines, then all these difficulties will have to be met and provided for. Although it is proposed to introduce a new principle for the first time, I do not find any indication in this Bill that all these aspects of the question have received any consideration at all or any provision has been made for them. On these grounds, I submit. I have made out a case that the Bill should be circulated for eliciting public opinion thereon. Sir, there are other questions also which require looking into, but I do not wish to touch on them at this stage.

I move my amendment.

**Mr. President:** Amendment moved:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st July, 1931."

**Sir Hari Singh Gour:** Sir, Honourable Members of this House must realise one fact and that fact is that, though this tax may fall upon a small number of members of the community, it is one of those taxes which may be distributed over the whole population. I raised this question last year in connection with the income-tax and I then pointed out that the income-tax, like all taxes, is eventually distributed over the whole population. I now read to the House the views of eminent authorities on that subject. Lord Mansfield says:

"I hold it to be true that a tax laid in any place is like a pebble falling into and making a circle in a lake, till one circle produces and gives motion to another, and the whole circumference is agitated from the centre."

Then it is pointed out:

"for taxes, like the various streams which form a general inundation, by whatever channels they separately find admission, unite at last and overwhelm the whole."

The above are the quotations from pages 153 and 154 of Seligman's book on "The Shifting and Incidence of Taxation". Honourable Members must not therefore dismiss this question as if it were a question which only concerns a few of them or a few members of the outside community. It is a question which raises the vital principle, a principle which will affect the people of India at large.

Now, Sir, what is the principle of this Bill? The Honourable the Finance Member, in his Statement of Objects and Reasons appended to this Bill, has made it abundantly clear that, so far as the persons domiciled in this country are concerned, he will tax them upon all incomes from whatever place derived, whether in British India or outside British India. But so far as the residents in British India are concerned, they will be exempted from the tax in respect of their outside investments. The Honourable the Mover of this amendment, Mr. Biswas, in his able and eloquent speech, for which I congratulate him, has pointed out that this obnoxious distinction between persons who are residents and persons who are domiciled in this country raises a thorny question upon which I have not the slightest doubt my Honourable friends occupying the European Benches will agree that they probably protest as much as we do upon this discrimination. I submit that if the tax is to be levied at all, it must be leviable from all persons who are residents in this country for a period of, say, six months or more. But to make a distinction in favour of residents and against those people who are domiciled in this country, is, I submit, re-introducing a racial discrimination regarding the incidence of this taxation.

Now, Sir, the point that I wish to make in connection with this Bill is that this Bill would not prevent the flying out from this country of capital to which the Honourable the Finance Member refers. The House knows very well that there is such a thing as free trading in investments. The other day when Sir Basil Blackett addressed this House he said that he was looking forward to the day when the people of India would invest in securities overseas and when India would become a capitalist country. He said that it was his idea towards which he was working. I too join with him that it will be a good day for the people of India when they invest their money in securities outside and thus create world connection. The Honourable the Finance Member may say that you might invest your money outside India, but you shall pay income-tax in this country. Some Honourable Members, the other day, said that there was no distinction between income-tax and land tax. I was surprised to hear my Honourable friend, Maulvi Muhammad Yakub, discoursing upon the non-existence of any distinction between agricultural income and other incomes. I find that in this book a whole chapter is devoted to the determination of the question as to whether the rent payable by agricultural holders is rent or tax, and the economists are almost evenly divided upon the question whether it can be regarded as tax or is really a rent for the use and occupation of the land. That being the case, I submit the case of the income-tax payer in this country is very different to an occupant of land. He pays a tax to the State for the protection he receives both in respect of his person and property, but what protection does the State give him as regards his outside investments? Does the State guarantee return of his capital or of his interest? Is the State prepared to go to war if the investor in a foreign security loses his money and the foreign State refuses to pay him? Is there such protection vouchsafed by the State to an investor in India? I submit not. He takes the risk. He invests his money outside because he feels or perhaps he finds that he is able to invest his money to greater advantage than what he is able to obtain upon his investment in this country. The taxes in this country are high, leaping up higher and higher every year, and I feel that every Indian has got the right to

[Sir Hari Singh Gour.]

take his money outside the country, if he finds he can make better use of it. Why should you prevent a man going out of India and selling his brain to the highest bidder? If you cannot prevent a man from going out of India and selling his brain to the highest bidder, how can you prevent him from taking his money outside for a profitable investment? Sir, the Finance Member complains of the flight of capital from this country. But who is responsible for it? Are not the crushing taxations driving capital out of the country and how will it prevent the flight of capital from the country? That, I submit, is a question which Honourable Members of this House must carefully consider, and they should not allow this Bill to go through unless they are satisfied that the imposition of a tax upon investments abroad would be for the benefit of this country and would not be harmful to the investor concerned. (Hear, hear.)

The Honourable the Mover of this amendment has pointed out that this Bill makes one clean sweep of all investors in foreign securities, forgetting that in foreign countries such investments may be liable to local income-tax. There are countries in which an investor has to pay a tax. Does this Act give any relief to such an investor, if he has already paid a foreign tax? No provision is made for it. There are a very large number of people doing business in this country who have got their shops in the Indian States and who carry on a very large business in the Indian States. If this Bill becomes law, such business men will be liable to pay income-tax in respect of business which they carry on in the Indian States, whatever may be the local taxation to which they may be otherwise subject. I therefore submit that, so far from agreeing to the principle of this Bill, this House must circulate it with its strong expression of opinion that it is a Bill of doubtful utility and that, unless it receives a consensus of support from the mercantile and other business communities, it should not be pushed through. Sir, I support the motion for circulation.

**Sir Hugh Cocke** (Bombay: European): Sir, I also support the motion for circulation, having a similar motion on the paper myself. The motion was put down some time ago at a time when we expected the Bill to be introduced, or rather to be discussed, much earlier than what has proved to be the case. We thoroughly admit that this Bill is somewhat involved in its provisions. The essence of the Bill perhaps is a comparatively simple matter and it is explained in clause 4, but I think in practice it will be found that there are clauses which present rather involved circumstances in connection with Indian States and so on, which in themselves justify the circulation of this Bill. It has always been the practice, I think, for Income-tax Bills of any importance to be circulated for opinion, and I do not think that that healthy course should be departed from in this particular case. As regards the suggestion that the Bill could be circulated after it has been tackled by a Select Committee, or after it has been passed, that is a very unusual course and it does not appeal to me at all. In the first place the Select Committee named on the Order Paper will not necessarily be the Select Committee which will be suitable for Simla, because that Select Committee was constituted on the basis that the Bill would be discussed in a Select Committee in Delhi, and I, for my part, should not, I fear, be able to serve on that Committee in Simla.

Therefore, I should prefer that this Bill should be circulated and on receipt of opinions, I should like a new Select Committee appointed in Simla to discuss the Bill. I think the speeches already made show that this Bill is not entirely understood. I said just now that in essence it is a simple measure and I repeat that, because, it only seeks to do what the income-tax law in England does, and as one income-tax legislation is based for the most part on the English law, it is not perhaps out of keeping that we should introduce provisions in our law which follow that law. There is nothing extraordinary in the suggestions made although Sri Hari Singh Gour stated that in his opinion this Bill is a new departure. The whole point is that a foreigner in this country, some one from overseas who is temporarily resident in India, is going to be treated exactly in the same way as the resident from overseas is treated in Great Britain. Today a permanent resident in Great Britain has to pay income-tax on interest and dividends from his foreign investments, even though they are not remitted. It is proposed the same thing should be done in India and that thereby the flow of capital out of India, which undoubtedly goes on at present to reduce income-tax and super-tax, will be stayed. It is perfectly natural, if you get a man on the borderline of super-tax, for him to allow his foreign investments to mount up and thereby keep his Indian income-tax below the super-tax limit. That is done frequently and it is a deliberate and perfectly reasonable avoidance, so that I just want to point out to Sir Hari Singh Gour that the general underlying principle of this Bill is the well-known principle which applies under the English law and which is stated in para. 4 of the Statement of Objects and Reasons which runs as follows:

"It is therefore considered desirable to amend the law, following the lines of the law in force in the United Kingdom, so as to make residence the *main* basis of liability, while still retaining origin and remittance into British India as bases of liability in certain circumstances."

That, I say, is merely copying the British law. We, on these Benches, have no desire that this matter should be rushed through the House. The House should have every opportunity of considering whether it wants to follow the British law or whether it does not. On the argument of the flow of capital, I think Sir Hari Singh Gour was rather inclined to contest the efficacy of this Bill to prevent that. But I think he is on weak ground there. I think there is no question whatever that the passing of a Bill of this sort will make many people hesitate to send money abroad for foreign investment where they do it now with the deliberate object of keeping down their income-tax, preventing the amount, perhaps, being assessed on a higher grade or, still more, preventing their income from rising into the super-tax grade. And as long as any one in this country can, by investing in America or anywhere else, keep down the income which he has to return to the Indian authorities and thereby keep down his income-tax and super-tax and possibly avoid super-tax, so long it is obvious that you are going rather to encourage than to resist the flow of capital out of India. There have been attempts at Geneva, I believe, to get provisions of income-tax laws which will be more or less suitable and reciprocal to all countries. Sir Hari Singh Gour mentioned that while there was income-tax relief in the Dominions as between India and Great Britain or Great Britain and Canada, there was no relief in double taxation as

[Sir Hugh Cocke.]

between India and France; and therefore if he invests some of his hard-earned wealth in France, he will have to pay income-tax there, whatever it may be, and he will again have to pay income-tax in India, whatever it may be. There is in that case undoubtedly double taxation just as today there is double taxation when any one who lives in Great Britain, has invested in dollar securities and has to bear the income-tax in America in addition to the British income-tax. There is no relief. So there is nothing new in this matter.

That, Sir, is all I have to say at this stage. I have not attempted to go into all the details of the Bill to the extent one would do before going into Select Committee, because it seemed all along that this Bill was not going to be reached, and, if reached, the motions for circulation would not be opposed; and therefore I do not profess to have studied all the details of the Bill. But I repeat that on general principles this Bill seeks to do nothing new in so far as the income-tax law and practice in Great Britain is concerned.

**Mr. B. Das** (Orissa Division: Non-Muhammadan): Sir, I was surprised the other day when I found the Honourable the Finance Member shelving this Bill till the next session of the Assembly. His previous speeches led me to think that this Bill would be passed in this session and some more revenue would come in for the State. It seems some powerful influence has been exercised and the Honourable the Finance Member can not persuade himself to see the Bill through. I suggest to him that he should hold a sitting of the Select Committee in this session and discuss the various points that have been raised from the three points of view by the Honourable speakers who spoke before me, and thereafter if the Select Committee comes to the conclusion that commercial and public opinion should be consulted, they may be consulted. Sir, I found my Honourable friend, Mr. Biswas, challenging Government that a discriminating policy has been introduced in the Bill, and from the incidents he cited, it appears that there may be discrimination. I understand certain Government officials, when they go home, take advantage of their leave and evade payment of income-tax to the Indian exchequer, at the same time evading payment to the British exchequer.

**Sir Hugh Cocke:** That is not evasion. It is laid down in the rules.

**Mr. B. Das:** My friend, Sir Hugh Cocke, is an expert in these things and he will no doubt assist the Select Committee in this matter.

3 P. M.

My Honourable friend, Sir Hari Singh Gour, wanted that there should be no assessment of income-tax on capital invested in foreign countries. I am not a lawyer but a practical business man, but I think that the State has certainly a right to tax any money that the people of the State derive. It is well known that many people in British India and the Indian States put their money in French and German banks for their own pleasure or for security, which we do not know. And when money is invested in foreign countries and a certain income is derived, I think the paramount State has a right to tax that money invested outside. As to the view which my Honourable friend, Sir Hugh Cocke, expressed that the principle of this Bill is in line with the principles by which income-tax rules in Great Britain are governed, I will agree with

him, but I do not know why he wanted a postponement of this piece of legislation to the next session. If the Government derives about 40 or 50 lakhs, as my Honourable friend, the Finance Member, said the other day, by this method of taxation, the taxation will come from the richest people. Why should they not pay the tax, and why should we fight on the floor of the House to tax the poorer classes of the people? Of course until my Honourable friend, Mr. Biswas, spoke, I never knew that this Bill would raise any controversy such as racial acrimony on the floor of this House. As I found that the Finance Member had already anticipated some opposition, he probably had some private talk in the lobbies with those who want postponement of this Bill and want it to be circulated. I strongly press upon the Finance Member that he should hold a meeting of the Select Committee before this session expires, and then embody the recommendations of the Select Committee when circulating the Bill for the opinion of the different Chambers of Commerce and also of the Press.

**Mr. Muhammad Yamin Khan** (Agra Division: Muhammadan Rural): Sir, I am afraid I cannot endorse the view in favour of circulation of this Bill. I know that when a Bill is circulated for eliciting public opinion, it means that the general public is interested in a particular measure, and when millions of people are affected, it is necessary to obtain their views on a particular Bill. The Bill which is now before us is not of a nature which is going to affect a large portion of the public, and I do not know what will be gained by circulating this Bill to obtain the opinion of a handful of people who are really interested in this matter. When the general public come to know about this, they will probably not care even to express their opinion in a matter which does not concern them; and it will really be a waste of time and money and waste of energy if this Bill is circulated for eliciting public opinion. I know, Sir, that the people who are interested, or their representatives, are present in this House. They can speak for themselves; they can amend the Bill as they like. But to send this Bill to a handful of people and take their opinion is from my point of view absolutely uncalled for.

I know, Sir, that there are some people who are sending their money outside India, and they are doing this with the obvious object of gaining a benefit by avoiding the super-tax, by bringing down their taxable income in this country to the lowest limit, so that they can escape the super-tax. But may I ask the Honourable Member, is it for the benefit of India or is it against the interests of India? My Honourable and learned friend, Sir Hari Singh Gour, says that he wants to see India as a capitalist country and he wants to see people sending their money outside in order to gain simply the certificate that our country may be called a capitalist country. I do not see any good for the country in his arguments. It may be for the good of a few individuals who have got big incomes, who think that, instead of profiting their country by investing their money inside the country, they should send the money outside. In my opinion they are doing a very unpatriotic thing. When we have to pay a high rate of interest to the people from outside who have invested capital in India, they get out of us a lot of money in the shape of interest; and our unpatriotic gentlemen see their way to invest their money outside India. My friend, Sir Hari Singh Gour, wants the benefit or support to be given to those gentlemen who are pleased to ignore their own country and invest



[Mr. Muhammad Yamin Khan.]

their money outside their country. (Interruption.) I fail to see any reasoning or any support for getting any certificate of that kind. What I feel is this, that we will be losing doubly: first of all, the capital which ought to be invested in India will not be invested in India, and in its place the public exchequer will be losing the income which ought to be derived from those gentlemen. In the second place, the loss in the shape of interest going outside India will be a big one. If these gentlemen had invested their money inside the country, then all this money in the shape of interest would have gone into their pockets and remained inside the country and India would have been much richer if they had seen their way to utilise their capital for the benefit of their country. Therefore, I do not see any reason for circulation of this Bill and I think all the requirements of the situation and all the defects in the Bill can be easily remedied in the Select Committee.

I quite see the point of my Honourable friend, Sir Hugh Cocke, that it will not be possible for him to go to Simla and sit on the Select Committee. I appreciate his difficulties, because when he gave his consent, he thought that the Select Committee would sit in Delhi during this session. If it is not possible for him to go to Simla, I think he could easily get some gentleman of his group to sit and give sound advice on this matter. With a little reshuffling in the Select Committee, the very same object can be gained, and I think, if already my friend, Sir Hari Singh Gour, is not there in the Committee, he could be taken in the Committee with great advantage, and he will give us all his legal help. But to say that this Bill should be circulated and this may die a natural death, will be losing a great amount of revenue which we want to find out at the present time when we find that there have been so many difficulties about the Finance Bill on account of the reduction in the revenue and India cannot afford to pay it as *baksheesh* to those people who seek to avoid and escape the super-tax and gain over this. I oppose this amendment for circulation and support the motion for Select Committee.

**Sir Cowasji Jehangir** (Bombay City: Non-Muhammadan Urban): I rise, Sir, to support the motion before the House that this Bill be circulated. From the speech we have just heard, it is quite evident to me that the Honourable Member has not understood the full significance of the Bill. If it had been drafted and placed before us in a simple form to enable Government to tax all incomes of all people in India accruing outside India, it might easily have been sent to a Select Committee and made law without circulation for public opinion; but it appears that Honourable Members do not seem to realise that the whole basis of liability for income-tax is changed under clause 4 of this Bill. When you are changing the whole principle under which you have been collecting taxes for years, surely you desire to have public opinion as to how and in what way you should change the basis of taxation. Clause 4 of this Bill makes a radical change in the Income-tax Act. I agree with Mr. Biswas when he says that the Statement of Objects and Reasons of this Bill does not clearly place before us the inward significance of many of the clauses in the Bill. There is an important distinction made between residence and domicile. I do not desire to weary the House by making

a long speech as to the distinction between the two; nor do I desire to raise very controversial questions for more than one reason. Firstly, beyond mentioning it, it is not necessary to go into details, and secondly, the Round Table Conference is seized of this question, and what surprises me is that so important a constitutional issue should have been brought into this Bill when the position of the European community in India is under the serious consideration of both the Governments in England and in India. My Honourable friend who spoke last did not direct his mind to this aspect of the case. I would not be doing a service either to Government or to my friends on the European Benches if I went into details. This is not the time to settle this controversial issue. It can be done, if not in India, in England. I would be the last to do them unintentional injury, and I regret that Government should have included in this Bill issues of such importance, without having mentioned them in the Statement of Objects and Reasons.

Then there are very important clauses in this Bill—clauses 6, 7 and 8 relating to salaries—clauses with far-reaching effects. My reading of these clauses is that if I was in the position of employing a European, I could so manœuvre as to employ him at a lower rate of pay by getting him exempted from the income-tax. Did my Honourable friend realise that when he spoke about the simple nature of this Bill? I wish he had read the Bill before he spoke. At any rate, clauses 6, 7 and 8 appear to me to be quite unnecessary for the object for which this Bill was introduced. Under those circumstances are we not justified in asking Government to straightaway agree to the circulation of this Bill? I am not prepared to commit myself to the principles underlying this Bill at this stage, and that is why I also object to this Bill going to a Select Committee. I understand that Government are not in a position to give us the assurance that the House is not bound down to every principle enunciated in this Bill, even if they desire to do so before they send it to the Select Committee. If that be the constitutional position in this House,—I was not aware of it; we may have been wrong in the Provincial Legislatures, when we did such things. I am not here to discuss the constitutional point as to whether committing a Bill to a Select Committee, even deprives the Government of the power of freeing the Members of this House from being committed to the principle of the Bill,—if it is not in the power of the Government to free Members from committing themselves to the principles of the Bill, then we cannot, I trust everybody will agree, allow this Bill to go to a Select Committee, and it must go for circulation. Besides that the position of all Englishmen in India is gravely affected by certain clauses in the Bill. It will be a question of deciding what is “residence” for Europeans. There has already been, I am informed by lawyers, any amount of litigation in England on this question. We shall have to go through all this litigation in this country if this Bill is passed in its present form, and that is not my own opinion. I may tell the House that it is the opinion I have received from one of the best known lawyers in India who sent it to me free and gratis. It is this opinion that has alarmed me to a very great extent. I do not desire to say more. I warn this Honourable House that if they do not send this Bill for circulation, they will be getting into a position which will be most dangerous for both Europeans and Indians.

**The Honourable Sir George Schuster** (Finance Member): Sir, my Honourable friend, who has just spoken with a good deal of emphasis, has in a sense been knocking at an open door, for I made it clear, when I first introduced this Bill, that we intended to be guided by the opinion of the House as to whether this Bill should be . . . .

**Sir Cowasji Jehangir:** I was afraid that you might be guided by Mr. Yamin Khan's opinion. That was the only reason that made me rise to my feet; otherwise, I had no desire to speak.

**The Honourable Sir George Schuster:** I now fully understand my Honourable friend's emphasis. I ventured to suggest the other day a somewhat unusual procedure which was that a Select Committee should be appointed now, and that the Bill should be circulated by executive order for opinion so that the Select Committee might be able to meet before the Simla Session, deal with the opinions that we should have received, and present the House with its Report at the beginning of the Session. But it has since been suggested that even that modified procedure, and even consenting to the appointment of a Select Committee on that understanding, would in a sense commit the House to the principle of the Bill, and I understand that it is felt at least in certain quarters, that it would be better to follow the normal procedure, and that we should at once accept an ordinary motion for circulation. I have heard that opinion expressed by prominent Members on the front Bench of the Nationalist Party, of the Independent Party, and of the European Group, and therefore, in spite of my own very warm sympathy for the arguments used by my friend, Mr. Yamin Khan, I am afraid, in virtue of the pledges which I gave when I first introduced the Bill, I must take it that there has been an expression of opinion in this House from very influential quarters that the Bill ought to be circulated. In those circumstances, Sir, I on behalf of the Government have no hesitation in accepting the motion for circulation. (Applause.)

There is, however, just one thing which I would like to say, which to some extent meets my own objections to delaying this Bill, and that is, that if it should be passed into law at Simla and come into effect from the 1st April, 1932, then we shall be entitled to recover income-tax on all foreign income which falls within the scope of the Act, on all foreign income accruing during the current year, because our basis of income-tax assessment is such that it refers back to the preceding year. Therefore, if there are any people,—not in this House, I hesitate to make any suggestion of that kind,—but if there are any people to whom my words could go abroad, I would warn them that if this Bill becomes law, their foreign income of this year will actually be liable to tax. Sir, with these words I repeat that I accept the motion for circulation.

**Mr. President:** The question is:

"That the Bill to amend the Indian Income-tax Act, 1922, for certain purposes, be circulated for the purpose of eliciting opinion thereon by the 31st July, 1931."

The motion was adopted.

## THE INDIAN FACTORIES (AMENDMENT) BILL.

**Mr. J. A. Shillidy** (Secretary: Industries and Labour Department): Sir, I move:

"That the Bill further to amend the Indian Factories Act, 1911, for a certain purpose be taken into consideration."

Sir, when I asked for leave to introduce this Bill, I explained that it was a very simple Bill, and the full justification for it will be found in the Statement of Objects and Reasons. Its origin lay in certain fires which broke out in certain match factories, and when the law was examined to see what steps could be taken to prevent a recurrence of such fires in factories, it was found that there was no specific provision empowering Local Governments to frame rules to provide for the prevention of fires in factories. The object of this Bill, therefore, is to give Local Governments that power. Sir, I move.

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

**Mr. J. A. Shillidy**: Sir, I move that the Bill be passed.

The motion was adopted.

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## THE SALT (ADDITIONAL IMPORT DUTY) BILL.

**The Honourable Sir George Schuster** (Finance Member): Sir, I move:

"That the Bill to impose a temporary additional duty of customs on foreign salt be taken into consideration."

I do not propose to make a long explanatory speech on this measure for a very special reason. The Government's attitude towards the measure is, as I explained when I originally introduced the Bill, an attitude which attempts to embody a spirit of responsiveness. We felt that there was a strong public demand for action on these lines, and we took the rather unusual course of submitting a Tariff Board Report to a special Committee of this House. That Committee has reported fully and has recommended a simple and definite scheme. A strong majority of the Committee were on the side of the scheme recommended, and a minority have put in dissenting minutes. I felt myself fully justified in giving my support to the majority of the Committee, but in doing so, I was largely influenced by the fact that they were the majority, and that I took as representing the views of this House. In these circumstances I think that it would be of advantage if the discussion developed and if I were to listen to the views expressed by other speakers before going very fully myself into the position. Therefore, with only that brief explanation, I move the motion which I have just read out.

**Mr. C. C. Biswas** (Calcutta: Non-Muhammadan Urban): I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st July, 1931."

Sir, in doing so, the one fact which I desire to bring to the notice of the House at once is this, that this is a measure which is likely to hit Bengal very hard, and Bengal with one voice has recorded its protest against it.

The specific proposals which are embodied in this Bill are, no doubt, the outcome of the recommendations of a special Committee of this House, but these specific proposals had never been placed before the country. The persons who would be affected thereby had been given no opportunity of expressing their opinions thereupon, and if this House decides to pass this measure, it would be tantamount to injuring Bengal behind her back.

I ask for the indulgence of the House when I place the facts a little fully before them, because it is my fear that Honourable Members have not had time to acquaint themselves with the full history of this case. If they had taken that trouble, I am quite sure that not even the Members of the Assembly Committee would have ventured to put forward any such measure as this. To my misfortune—I should rather say it was my fault—I was not able to be present at two meetings of the Committee when this question was being considered by them. For unavoidable reasons I was detained at Calcutta, and at the time I had left for Calcutta I had no notice of the dates when these meetings were going to be called. When I came back I got a copy of the draft Report placed in my hands. I at once wrote back to say that I should like to have a further meeting of the Committee to give me a chance of explaining my point of view. I asked for that opportunity. I do not blame anybody, but the fact remains that that opportunity was denied to me, and what I was told was that I might put in my views in a minute of dissent.

**The Honourable Sir George Schuster:** Does my Honourable friend suggest that he was not present at a meeting of the Committee before the Report was signed?

**Mr. C. C. Biswas:** No, I did not suggest that; all that I said was that I was not present at the first two meetings.

**Mr. R. K. Shanmukham Chetty** (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): The Honourable Member was present at a meeting when the draft Report was discussed.

**Mr. C. C. Biswas:** I do not deny that. I said that I was not present at the two meetings of the Committee at which this question was considered. When I came back from Calcutta I got a copy of the draft Report placed in my hands. Then I wrote to say that I wanted a meeting to be convened in order that that Report might be considered, and I suggested that I might be given a chance at that meeting.

**The Honourable Sir George Schuster:** I think my Honourable friend might correct his statement. He certainly led the House to understand that he requested a meeting to be summoned, but that a meeting was not summoned, and that he had no opportunity to express his views to the Committee until he actually had to put in a dissenting minute. I may

say that my Honourable friend was present at a meeting when the draft Report was discussed and he had an opportunity of expressing his views, of which he took the fullest possible advantage. Therefore, I think that my Honourable friend ought to withdraw the suggestion that he was confronted with a *fait accompli*, and that all that he could do was to put in a minute of dissent, and that he had no chance of arguing the case with the members of the Committee before the Report was signed.

**Mr. C. C. Biswas:** What I did suggest and what I did state was this, that at the first two meetings of the Committee . . . .

**Sir Hari Singh Gour** (Central Provinces Hindi Divisions: Non-Muham-madan): I rise to a point of order. It has been held for a long time that reference should not be made to discussions or matters discussed in Select Committee. (*An Honourable Member:* "This was not a Select Committee.") The Honourable Member is discussing matters that transpired in the Select Committee.

**Mr. C. C. Biswas:** I am not.

**Mr. President:** The Honourable Member (Mr. Biswas) is quite in order in pointing out what his share in the deliberations of the Committee was. The Honourable Member is not placing before the House the arguments for and against why a certain decision was reached.

**Mr. C. C. Biswas:** I began my speech by saying that it was my fault that I was not present at the two meetings of the Committee at which this question was considered. When I came back from Calcutta, I got a copy of the draft Report, and when I got it, I wrote back to say that there should be a meeting to consider the draft Report. That meeting was held and at that meeting I was present. I never suggested that I was not present at that meeting.

**Mr. President:** That is sufficient. Will the Honourable Member please go on with his remarks?

**Mr. C. C. Biswas:** I was merely referring to this for the purpose of explaining why my point of view was not adequately placed before the Committee in the earlier stages, because I feel that if the Bengal point of view had been fully placed before my colleagues on the Committee, they would probably have come to a different conclusion. I shall endeavour now, therefore, at some length to place the facts before the House in order that I may induce my Honourable friends here to come round to my views.

(At this stage Mr. President vacated the Chair, which was taken by Mr. Deputy President.)

As Honourable Members must be aware, this question of helping the salt industry in India was considered by the Indian Taxation Enquiry Committee, and in their Report they made the suggestion that the question as to what steps might be taken to make India self-supporting in the matter of salt supply should be referred to the Tariff Board. That was in 1926. The Government, on receipt of that Report, considered whether they should make the reference to the Tariff Board, and for that purpose they consulted the Central Board of Revenue. The Central Board of Revenue after an inquiry into this

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matter, came to certain conclusions. Those conclusions were mainly three. First, they said that the problem of making the main land of India, as distinguished from Burma, self-supporting in the matter of salt supply resolved itself into that of capturing for Indian salt the market for fine white crushed salt in Bengal, since no attempt could reasonably be made to compel the consumer in Bengal to take the ordinary Madras or Bombay salt. Sir, I wish to emphasise this, because the whole of the present controversy is really one of capturing the Bengal market, which is at present supplied from abroad mainly, and to a certain extent from Aden. Bengal consumes 500,000 tons of fine white crushed salt. Of this 180 thousand tons come from Aden, and the rest from abroad. The second conclusion of the Central Board of Revenue was this. The cost of transporting salt to Bengal from those places in India at which salt suitable for that market could be produced, and the extent to which such transport could be made available, were, they said, factors of the greatest importance. Lastly, they said this. The probable limitations upon the output of sources in India which could produce the required quantity of salt were such that, on the evidence available, a reasonable probability that India could be made self-supporting in this respect could not be regarded as established. The Central Board of Revenue, therefore, reported that there was no *prima facie* case for reference to the Tariff Board. That was the opinion expressed by the Central Board of Revenue. This opinion came to be considered in due course by the Government of India, and at one stage the Government of India concurred in these conclusions. Therefore, they took no further action and made no reference to the Tariff Board. Subsequently, early in 1929, I suppose, the question of making India self-supporting in the matter of the supply of salt was raised in the course of the discussion on a token cut in connection with the Budget, and dealing with that motion for a cut which was made by Mr. Kelkar, the Government then announced that on further consideration, while adhering still to the first two conclusions which had been arrived at by the Central Board of Revenue, they thought that the third matter could probably be reopened, and that, although the reference to the Tariff Board might have been premature at the time it had been suggested, there was a case for a reference to them now. Thereupon a reference was made to the Tariff Board, and what were the terms of that reference? The Tariff Board was asked to report, "whether, having regard to all relevant considerations, it is desirable in the national interest that steps should be taken to encourage the production of salt in India suitable for consumption in those markets which are at present largely supplied from abroad". The question, then, which was referred to the Tariff Board was this: whether steps should be taken to encourage the production of salt of that quality which was being consumed in Bengal. It was not a question as to whether Bengal could be supplied, or could be called upon to consume, an inferior quality of salt. That was not the question. The question was whether Bengal could be supplied from Indian sources with the salt of the quality to which Bengal had been accustomed. On that the Tariff Board made an exhaustive inquiry, and they submitted their Report. In that Report they went in some detail into the question as to how the salt industry in India could be encouraged. Before I proceed to deal with the recommendations of the Tariff Board, I should like just to pause at this stage to remind the House that the question of Aden had been considered by the Central Board of Revenue—whether Aden could be

regarded as part of India for the purpose of making India self-supporting in the matter of salt supply. The Central Board of Revenue came to certain definite conclusions, as they said that Aden could not be regarded as part of India for that purpose.

**The Honourable Sir George Schuster:** Will the Honourable Member give me the reference from which he is quoting?

**Mr. C. C. Biswas:** I am sorry my friend should have put me that question. That only suggests that my Honourable friend has not perused the Report of the Tariff Board with that care which we have a right to expect of him. If he will refer to pages 30 and 31 of the Tariff Board's Report, he will find the question is fully dealt with. I will read that passage, because I find there is a mass of ignorance even in official circles on this question, which ought to be dispelled. This is what the Report says:

"The results of our examination of this subject are set forth in Chapter V and in the light of these conclusions we are unable to accept the view that the long railway lead is necessarily decisive against utilising the Northern India sources for the Bengal market"—*I should rather begin with the next sentence*—"In estimating the total quantity of Indian salt available for the Bengal market, we have provisionally taken into account the output of the salt works at Aden. The Central Board of Revenue, on the other hand, excluded Aden from their estimates of production on the ground that in considering the question of rendering India self-supporting, the inclusion of any salt works situated outside the continent of India and Burma would be far-fetched. Our reasons for including Aden are explained in Chapter VI."

I quite admit that the Tariff Board have come to a different conclusion on that subject, a conclusion which has since been endorsed by the special Committee of this House by a majority.

**The Honourable Sir George Schuster:** The reason why I interrupted my Honourable friend was—I possibly may have misunderstood him again as I did the first time—that I thought he was suggesting that the Central Board of Revenue had adopted the view that, on its merits, Aden was in no circumstances to be treated as part of India. Now, when the reference to the Tariff Board was made, the Central Board of Revenue specially put that question to the Tariff Board and indicated that they had an entirely open mind on the subject. My Honourable friend has now quoted from papers in which, merely for purpose of making certain calculations, the Central Board of Revenue did not include Aden in Indian sources of supply; but that has nothing whatever to do with the merits of the case, and the Central Board of Revenue had never adopted the view on behalf of the Government of India that Aden could not be treated as part of India. Their view on that matter was an entirely open one.

**Mr. C. C. Biswas:** I confess I do not possess the subtlety of my Honourable friend. My friend will pardon me if I have been unable to follow him in the distinction he was making. I take my stand upon the actual words which are embodied in this Report, and I say that when you are considering the question as to whether India can be made self-supporting in the matter of salt supply, Aden was excluded by the Central Board of Revenue from their calculations. In other words, the quantity of salt which Aden was supplying or was in a position to supply was left out of account altogether. The question to which the Central Board of Revenue confined themselves was as to whether or not the sources of



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supply in India proper could be so developed or extended that the output from these sources would be sufficient to displace the foreign salt which was coming into Bengal. Sir, as I am on this question now, it is just as well that I should refer to the view taken by the Tariff Board. In Chapter IV of their Report the Tariff Board explain their reasons for including Aden in their calculations for this purpose, and this is what they say in paragraph 63:

"Before considering these points it is desirable to determine the position which must be assigned to Aden in relation to the salt supply of India. There appear to be no strong grounds for differentiating between Aden and Okha or Karachi manufacturers. The Aden Administration on the civil side is subordinate to the Government of Bombay, and in a sense therefore can claim to be a part of British India."

On the military side, I may add, it is the Royal Air Force which has taken the responsibility for the defence of Aden, and India has nothing to do with the foreign affairs of Aden. Then they proceed:

"Of the four Companies operating in Aden, three are owned by Indians. The non-Indian labour employed in superior posts in Aden is inconsiderable. The Aden manufacturers are liable to Indian income-tax and pay ground-rent and royalty to the Government of Bombay. Transport, whether from Aden, Karachi or Okha, is at present almost entirely in non-Indian hands, while all three sources of supply are equally liable in war time to have their communications interrupted or to suffer from shortage of shipping. From the national point of view, therefore, there appears little to be gained by substituting Karachi or Okha salt for Aden salt."

Therefore, Sir, Aden is regarded by the Tariff Board as part of India in this connection. Now, Sir, I want to deal a little more fully with the salt works which are at Aden. It is pointed out that there are four salt works at Aden, of which three are Indian and one is non-Indian, and that non-Indian is a Italian concern—that of Signor Burgeralla. The Aden Salt Works were started in 1903 or 1904. The other three salt works which are Indian are—the Indo-Aden Works (proprietors, Abdoolabhoy and Joomabhoy Lalljee), the Hajeabhoy Salt Works (proprietor Hajeabhoy Lalljee), and the Aden Salt Works (proprietors, Pallonjee and Brothers). Now, Sir, of these four, you will find that the Italian concern is the biggest of them all; it is big enough to swallow up the other three. As a matter of fact, the output of the Italian concern is greater by several thousand tons than the total output of the three Indian concerns put together.

**An Honourable Member:** Twenty times more.

**Mr. C. C. Biswas:** I shall have occasion to point out that the result of the import duty, which is now going to be levied, will be to put about Rs. 35 lakhs into the pockets of this Italian firm at Aden. Sir, at this stage I may just as well point out that, although the Tariff Board in their Report regarded Aden as part of India, still they realized the discrimination they were making in favour of a non-Indian concern, and they were anxious, therefore, to provide certain safeguards and conditions before they were in a position to advise that the same treatment should be accorded to this non-Indian firm as to the other Indian firms at Aden.

They said this—and I will quote the reference lest my Honourable friend, the Finance Member, should complain again—at page 80:

“Of the four salt factories at Aden, three are the property of Indians and the fourth is a private company of which Messrs. Burgeralla, an Italian firm, are the proprietors. Sig. Burgeralla was the pioneer of salt manufacture at Aden, and it is owing to his experience and enterprise that this industry has now established itself on a firm footing. The Aden Salt Works, of which Messrs. Burgeralla are the proprietors, were established in 1904, some 7 or 8 years before any of the other firms commenced operations. Under the terms of the agreement with Government, the Aden Salt Works are debarred from selling their salt locally;”

This probably explains the tender solicitude shown for this firm; this agreement between them and the Government:

“Under the terms of the agreement with Government, the Aden Salt Works are debarred from selling their salt locally and depend entirely on the Indian market. In these circumstances, any discrimination against this Company in favour of Indian Companies, such as has been suggested to us by some of the applicant Companies, would manifestly be unfair.” “At the same time,” *they go on to add*:

“we feel that our recommendations must be in conformity with the general policy which governs the conditions on which public assistance is granted to industries. We have recommended that Government should purchase salt, subject to its conforming to certain definite specifications, from all Indian companies at a fixed price. We recommend that the same guarantee should extend to the Aden Salt Works provided,”—*mark, Sir, these conditions*—“provided that the Company is formed and registered under the Indian Companies Act, 1913, that it has a share capital the amount of which is registered in the Memorandum of Association in rupees, and such proportion of the Directors as the Governor General in Council has by general or special order prescribed in this behalf consists of Indians.”

I would ask my friends who constituted the majority of the Assembly Committee, were they aware of these conditions which the Tariff Board themselves had laid down, conditions precedent before making any concession in favour of this Company? No, Sir, I do not think so. They accepted the Tariff Board's proposals to include Aden as part of India, and while, therefore, as an emergency measure they suggested that a duty of four annas and six pies should be imposed on foreign salt, they proposed Aden should be exempted. But did they require anything to be done to secure compliance with these conditions on the part of this Italian firm? (Hear, hear.) Sir, that is how things have been done in the Assembly Committee—without adequate consideration, without any proper investigation of the facts. Sir, to resume the story. The Tariff Board made their proposals. In dealing with the question as to how far India could be made self-supporting, the Tariff Board would naturally consider how far this could be done without at the same time imposing an undue burden on the consumer. They proceeded specifically to consider the question of protection in connection with the salt industry. I would refer Honourable Members of this House to chapter VI of the Report, where this question is dealt with exhaustively as to how far protection is justifiable or ought to be imposed. The Tariff Board, Sir, came definitely to the conclusion that no case whatsoever had been made out for giving protection to the salt industry. They considered this proposal and rejected it outright; and referring to the Aden Salt Works, they said that Aden had faced competition unaided for years, and there was absolutely no justification for protecting Aden. Sir, my friends on

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the Assembly Committee have apparently brushed aside those opinions. They have brushed aside those opinions, without however doing the Tariff Board the ordinary courtesy of meeting their arguments. They seem to justify their proposal on the ground that an emergency had arisen and therefore emergency legislation was called for, and because of this emergency, they had no hesitation in suggesting that there should be a protective duty for one year and one year only. I might just pause at this stage and ask: have you ever heard of any protective duty being imposed for the limited period of one year only? Could protection for one year be at all effective in the case of any industry? Sir, if you will look at the Reports of the Tariff Board which have been submitted from time to time in connection with other industries, you will find that in every case they have recommended protection for a definite period of time, and in this matter they have acted in accordance with the recommendations of the Indian Fiscal Commission. Whenever they have recommended protection, they have always said what should be the period for which the protection is to be given. In the case of sugar, for instance, we find that they have suggested a certain measure of protection at a certain rate for the first seven years, and at a different rate for a further period thereafter. Now, in view of the fact that the Tariff Board came to the conclusion that no protection was called for in the case of salt, they were not called upon to consider the question of the period for which protection ought to be given. But my wise friends of the Special Committee—they were wiser than everybody else—straightaway said: "Impose a duty for one year", as if one year's duty would be enough, if they really wanted to give protection. First of all, they do not say why they have rejected the views of the Tariff Board that there should be no protection, and, secondly, they do not explain why it should be limited to one year only. I find from the amendment of one of my Honourable friends, with which I shall have occasion to deal later on, that he wishes to substitute "March, 1936" in place of "March, 1932" in sub-clause (3) of clause 1. In other words, if that amendment is accepted, he wants the House to commit itself at this stage, without consideration, not only that the industry requires protection, but that the protection should be continued for a definite period.

(At this stage Mr. President resumed the Chair.)

Sir, I have never heard of any proposal of that kind being put forward from any responsible quarter without an adequate examination of the question, and in this particular case not only is it a fact that there has been no adequate examination but I maintain that the recommendations of this Committee run counter to and are diametrically opposite to the recommendations of the Tariff Board, recommendations which had been arrived at after much more careful consideration than had been bestowed on this subject by the Special Committee. Sir, I will read to the House certain portions from the Report of the Tariff Board, Chapter VI. But before I do so, I may just remind the House that the Indian Fiscal Commission laid down discriminating protection as the policy which the country ought to follow. They laid down certain conditions which should be fulfilled before any industry could be given protection in that sense. The Tariff Board naturally proceed to consider how far the salt industry

fulfils these conditions, and they come to the conclusion that none of these conditions is satisfied. This is what they say :

"The following are the points which require consideration in this connection :—(1) the possibility of affording increased employment for Indian labour, (2) the possibility of retaining profits in the country, and (3) the possibility of ensuring against a shortage of white salt in war time."

And then, Sir, they go on to consider the matter in these three aspects. In this connection, I would just inform my Honourable friends of a distinction which exists between the sources of supply. Salt comes from some of these sources by sea and from other sources it comes by rail. Now, the case of sea-borne salt stands on a different footing from rail-borne salt. The Tariff Board, when they speak of sea-borne salt, refer to salt which comes from Aden, Karachi and Okha. No doubt it is possible to transport salt from Karachi or Okha by rail to Bengal, but as the railway freight is very much higher, this is not done. Therefore, the normal method of transport of salt from these sources is by sea, in order that it may be sold at the cheapest rate. When the Tariff Board speak of rail-borne salt, they refer, on the other hand, to salt which mainly comes from Khewra and Rajputana, the Northern India and Central India sources. Having said this, let me now point out what the Tariff Board say with regard to the first point I have referred to above, namely, the possibility of affording increased employment for Indian labour. They hold that the additional employment afforded would be extremely limited, and on this ground they say that protection is not justified. I do not wish to weary the House with long extracts, and I will therefore read out their conclusions only :

"From the economic point of view there is no case for protection in the proper sense of the term so far as Indian sea-borne salt is concerned. The salt works at Aden have for many years faced foreign competition unaided and since we have found that these works form part of the Indian industry, no claim for protection of the industry as a whole can be substantiated. Further, even if the works at Aden are excluded from consideration, and salt manufactured at Karachi and Okha is regarded as a nascent industry, assistance on strictly economic grounds cannot be justified."

There is the favourite argument, the nascent industry argument in support of protection, but even on that ground protection is not justified :

"These works on the whole, possess no advantage over works situated on the Red Sea coast in respect of natural facilities for the production of salt including freight, and in consequence no economies may ultimately be expected in the cost of salt to the consumer in Bengal such as would justify a case for protection on ordinary economic grounds."

My friends here possibly wish to advance extra-ordinary uneconomic grounds in support of their proposal :

"Moreover, it has not been proved to our satisfaction that they could ever face competition unaided save in respect of a small proportion of the possible output. Consequently, the position contemplated by the Fiscal Commission, in which internal competition will eventually so reduce the price below the level of imported salt as to compensate the consumer over the sacrifices incurred during the period of protection, is not likely to be established."

I was looking for the Report of the Fiscal Commission, where the Fiscal Commission lay down three conditions as conditions pre-requisite before you can give protection. This is what they say :

"The Tariff Board in dealing with claims for protection should satisfy itself, first, that the industry possesses natural advantages."

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On that point, Sir, in this case the finding is against protection. Natural facilities, the salt works in India do not enjoy; they do not enjoy as much natural facilities as are enjoyed by the other foreign works. The second condition which the Fiscal Commission laid down was this:

"That without the help of protection, it is not likely to develop at all or not so rapidly as is desirable."

The finding is that without protection the Aden industry has developed and is capable of developing fully and that it does not require protection. The third condition is that the industry will eventually be able to face world competition without protection. On that point also, the Tariff Board say that the industry is not such that we can visualise a time when, without it, it will be able to stand on its own legs in competition with foreign trade. Therefore, Sir, none of the conditions which the Fiscal Commission suggest must be fulfilled before you can give protection is present in this particular case according to the findings of the Tariff Board. The Tariff Board then suggest that possibly it might be said that the present conditions were exceptional, because at the date that they were writing their Report, the price of imported salt in Bengal had fallen to Rs. 53 per hundred maunds *ex-ship*, and these prices, I may add, have since dropped to a lower level, *viz.*, Rs. 35 to Rs. 40 per hundred maunds. Having regard to this, it might be argued that some steps ought to be taken in the national interest by way of anti-dumping measures, as such prices could not be regarded as economic and could only be justified on the assumption that losses would be recouped at a later date when competition had been eliminated. Well, the Tariff Board go on to consider this question. What they say is this:

"It must be borne in mind in considering the possibility of adopting any of the recognised methods of protection that it is our opinion that it would not be in the national interest to encourage the manufacture of salt in India when that salt must normally be conveyed to Calcutta by sea, if thereby any considerable burden is imposed upon the consumer."

They make a distinction between sea-borne and rail-borne salt. As regards sea-borne salt, that is salt coming from Karachi, Aden and Okha, they are quite definite that it will not help the national interest to encourage the manufacture of salt in India when that salt must normally be conveyed to Calcutta by sea, if thereby any considerable burden is imposed upon the consumer. That the present levy will impose a very heavy burden on the consumer goes without saying. At a time when my Honourable friend the Finance Member is faced with a huge deficit of 14 or 15 crores, he dare not touch salt. It is sacrosanct! Whether for political reasons or for other reasons he would not touch salt, but he would have no hesitation in taxing the consumer in Bengal, even at this juncture, regardless of the political consequences, which his action may bring about. I may inform the House that among the numerous telegrams which I have received in this connection, one is, I believe, from the President of the Civil Disobedience Council in Bengal, and if I read that telegram aright, it suggests that if this duty is imposed, it might mean the revival of the civil disobedience campaign as regards salt in Bengal. (Hear, hear.) So I desire to warn my Honourable friends who are so anxious in the name of protection to inflict this

cruel wrong on Bengal to ponder deeply over the possible consequences of their action. It was Madame Roland who cried out, "Liberty, liberty, what crimes are not committed in thy name". "Protection, protection," I say, "what cruel wrongs are not being perpetrated in thy name." Sir, Nationalist India has been protesting against the imposition of salt duty, and demanding its total repeal. Apparently, Sir, in the opinion of some of my friends, it is only when the proceeds are to go into the public revenues that the protest is justified. When, however, salt is taxed and taxed heavily for the benefit of a few capitalists, in the name of protection, the protest vanishes into the thin air! Sir, you are treating Bengal most unjustly. You have deprived Bengal of her export duty on jute, an export duty which means 3 or 4 crores of rupees. You have left Bengal with barely 12 crores for her 50 million inhabitants, and you are now going to impose this burden on Bengal. I know there is a suggestion in the Committee's Report that the proceeds of this duty will be made over, to whom, it does not say, that they will be applied for the benefit of those on whom the burden will fall. Mark, Sir, the language used in that Report. They say that there is "a strong equitable case" for application of the proceeds for the benefit of such persons. I ask my Honourable friend the Finance Member and his colleagues on the Treasury Benches to say, what that means. What does that euphemistic expression, "a strong equitable case", mean? Does it mean that the money will go into the coffers of Bengal? When I speak of Bengal, I am referring not merely to Bengal proper, but to adjacent areas which are in the same predicament as Bengal. I have left out Burma, and it is just as well I should refer to it. Burma is situate in the same way as Bengal in the matter of salt supply. But the Tariff Board had excluded Burma from their consideration. They say that Burma should form the subject of separate consideration hereafter. All the same, Sir, the proposed duty is going to be imposed not merely on Bengal but upon Burma as well, although Burma has not had a moment's consideration at the hands of anybody. Such is the levity with which we are proceeding in this matter. I did not want to use that expression, but I am forced to use it, such is the levity, I say, with which we are proceeding that we are prepared in the name of protection to sacrifice one province after another, all in the interests of a few capitalists.

Sir, as one of the trade journals in Calcutta puts it, I ask, how long is this process of Bengal blood transfusion to go on?

**An Honourable Member:** Bengal is a milch cow.

**Mr. C. C. Biswas:** That is not the correct figure. Bengal is being bled and bled white for the purpose of making rich the blood of capitalists in other provinces.

Such is the position at the present day. Dealing with the suggestion that to meet this emergency, anti-dumping measures might be introduced, the Tariff Board, as I have already submitted, after saying that in their opinion it will not be in the national interest to encourage the manufacture of salt in India when that salt must normally be conveyed to Calcutta by sea, if thereby any considerable burden is imposed on the consumer, say that, "This finding in itself rules out the possibility of any protective duty". Further on, they state that, "The proposal clearly supposes some measure of stability in the price of imported salt". I will come to that question later on. The apparent justification for the present proposals

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is that they are going to stabilise the price in Calcutta. That is all moonshine, as I shall show presently. The Tariff Board point out:

"As we have shown in Chapter I, price variations are so frequent and violent that the amount of protection is likely at one time to be excessive and at another time inadequate."

Ordinarily when you are determining the incidence of a protective duty, what happens? What do you do? You calculate the cost of the foreign article, and you calculate the cost of the home product, and you take these two factors into consideration for the purpose of deciding what the duty should be. I do not for a moment suggest that it is the difference between the two that must always fix the standard of your duty. But surely these are the two material factors that must be taken into consideration. You must know not only the cost of home production, but you must also know the cost of production abroad. Now, Sir, so far as the cost of production abroad is concerned, the Tariff Board definitely say this in paragraph 15 of the Report on page 14:

"In existing circumstances therefore any attempt to determine a normal price of imported salt would manifestly be fruitless."

They point out that there are several factors which contribute to this uncertainty, and these factors are trade variations, the operation of rings and combines and speculation. Therefore, Sir, because they were unable to come to any finding as to what it costs to produce salt for shipment to India from abroad, they give up this attempt. Therefore they say:

"As we have shown in Chapter I, price variations are so frequent and violent that the amount of protection is likely at one time to be excessive and at another time inadequate."

Now, Sir, let me put the case in a concrete form. The duty is  $4\frac{1}{2}$  annas per maund and the executive have taken power to raise the duty by one anna. Suppose in spite of that, even when the duty is  $5\frac{1}{2}$  annas, the foreign importer or the foreign manufacturer is in a position to ship salt to India for the Bengal market at a price which will defeat your protective duty, what happens? At the time the Tariff Board wrote their Report it was Rs. 53, and it has now gone down to Rs. 36. Suppose it drops down by another five rupees and goes down to Rs. 30, what happens? Then, in spite of all that you are doing you cannot keep out foreign salt. Your duty becomes ineffective and meaningless, and the only effect is to hit the poor consumer who has got to pay through his nose. Therefore without a finding as to whether the price which is being charged by the foreign importer is an economic price or not, without adequate means to control the different factors which make for instability, how can you come to any certain conclusions regarding this matter? Say the Tariff Board:

"It is idle for us to attempt to put any limit to the extent to which prices may decline, specially if a situation arises in which rival producers are determined to retain their market at any price."

And they go on to refer to the fact that on the Red Sea coast new factories are springing up, there is keen competition, and therefore the chances are that the prices would be still falling. As a matter of fact their anticipations have been more than realised, and we are not yet sure that we have reached the rockbottom price in foreign salt.

**An Honourable Member:** How much longer are you going to take?

**Mr. C. O. Biswas:** I will take at least an hour more.

**Diwan Bahadur T. Rangachariar** (South Arcot *cum* Chingleput: Non-Muhammadan Rural): In that case, Sir, may I ask that the House be adjourned?

**Mr. President:** The House has so much business still to go through that I do not propose to adjourn the House now.

**Mr. C. O. Biswas:** The Tariff Board then proceed to refer to a possible suggestion for an off-setting duty.

"In the face of such intensive competition and in the case of an industry in which under normal conditions no stability of import prices can be assumed, it would appear that some provision for off-setting duties is essential."

Well, they deal with this suggestion and their definite conclusion is that such off-setting duties cannot be justified. I will read out a few extracts:

"It is doubtful, however, whether any such scheme would be effective. Prompt action would be required and it appears unlikely that such machinery, as the Government of India might accept for the imposition of off-setting duties, would admit of the immediate relief which the Indian industry would require. Further, very frequent changes in the off-setting duties would be necessary. This in itself would give rise to speculation, and it is not improbable that the actual additional cost to the consumer would be considerably in excess of the duty imposed. Past experience has shown that whenever Government has contemplated an increase in the salt duties the market has been unsettled for considerable periods, and the normal flow of supply and demand has been impeded. The effect on the market would be the same even when the additional duty is imposed, as in the case of off-setting duties, for the purpose of counteracting a decline in import prices."

And then they say:

"We cannot also ignore political considerations."

The conclusion is:

"From a practical point of view we cannot avoid the conclusion that the position of the industry would be far from secure, if it were to depend on the imposition of off-setting duties."

Then, the next paragraph is:

"On economic grounds the case for the imposition of a protective duty cannot be sustained. Following the usual methods of this Board, the level of the protective duty is determined by the difference between the fair selling prices and the import prices."

Thus it is that the Board have come to some conclusions as to what the fair selling prices in India may be, but not as to the import prices. They then proceed:

"Admittedly Aden salt which has for years held an established position on the Calcutta market does not require protection."

Mark these words,—at page 59. Then they say:

"The proposal, therefore, amounts to this: the Bengal consumer is to be burdened with an annual payment of 20 lakhs,"

—and this is now 35 lakhs owing to a further fall in prices,—

"in order to allow port Okha and Karachi,"



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—i.e., the two centres other than Aden from which seaborne salt is supplied,—

“to place on the Calcutta market an output which today does not exceed 15,000 tons, but may in the future amount to 147,000 tons. Taking the value of the salt according to present import prices at approximately Rs. 15 per ton *ex-ship*, the annual additional payment by the Bengal consumer will far exceed the value of the Indian salt likely to be produced at Okha and Karachi for many years.”

Sir, I may point out that the additional price which Bengal will have to pay will be more than enough to buy out some of these concerns:

“Considering the limited extent to which the national interest would be served by the establishment of the salt industry at Okha or Karachi it would be entirely unreasonable to expect the consumer in Bengal to shoulder a burden of this magnitude.”

I make a present of this to my friends who constitute the majority of the Special Committee:

“A different conclusion might be reached if a reasonable prospect existed that stability of price would be secured and that over a long period the consumer would obtain his salt at a fair price. But in view of the price fluctuations and the speculation in the market no stable price would thereby be secured under present conditions.”

My friends hope to stabilise prices in a very simple way. All that they have got to do is to put this duty on and say, “Look here; the Tariff Board have fixed a fair selling price at Rs. 63-10; if you people at any time sell above that figure, we shall buy up all your stocks”. Hold that threat out and everything will be perfectly smooth. No further speculation; prices will stabilise themselves, and so on. Sir, remember that this is going to be done as a temporary measure for one year only. I ask, is there any justification, then, for saying that you can stabilise the price? You merely compel the Bengal consumer to pay an additional price for nothing. As a matter of fact, the chances are that the prices will not go up; rather they will go down. Is there a real danger that in the next few months the prices of foreign salt will go up? If there was an upward tendency, then I could have understood the effect of a recommendation like that; it would help to check an upward rise. But all the indications are that the prices will go down; they are going down, and for the purpose of protecting Bengal against a purely imaginary danger, imaginary at any rate so far as the next few months are concerned, Bengal is called upon to pay this additional taxation. That is neither fair nor just.

Then, the Tariff Board go on to consider the question of bounties and they turn that down. I may inform this House at this stage that among the various representations which, I believe, have been sent to Government—copies have been sent to me—a suggestion has been made that if you want to protect the salt industry in India, do not do so at the cost of Bengal alone. Let the whole of India come forward. If you say that these industries are going to die out, give them subsidies, give them bounties, but let the bounties in that case be found by the whole of India. I know, the Finance Member is very hard up for money, and he cannot think of allowing a bigger hole to be made in his pocket—which is already not entirely hole-proof. Well, then, as I have stated, the Tariff Board considered this question of bounty, and it is negatived. My grievance against the Committee is this, that these alternative proposals, which had been

carefully considered by the Tariff Board and turned down, were not examined with that care to which they were entitled, and the Report is wholly silent as to the reasons which led them to depart from those recommendations. The only point I can see is this; there is an emergency; they get panicky, and it is a panicky measure they bring forward. "Fire", "fire", they cry out, but in trying to extinguish the fire in one place, they are setting fire to another. They forget that all the time they were running, they were carrying lighted torches behind them, and in their hurry they forgot to put out those torches.

**Mr. B. Das:** What about paragraph 12 of their Report?

**Mr. C. O. Biswas:** My friend interrupts me, and I welcome the interruption. Paragraph 12 to which my friend calls attention is this:

"We consider that this Committee should remain in existence and that the whole position should be reviewed by us as early as possible in the light of the experience in the working of the import duty, and the results of the increase which we have recommended."

Sir, the patient is suffering; he is taken to the hospital; he is laid on the operation table; the operation is performed; the surgeon applies the knife, and the patient ultimately dies, but the surgeon survives. Was not the operation successful all the same, because the patient died only a few minutes after the operation? It is like that. My friend's Committee will be in existence. I do not have much faith in this Committee. I wish this Committee should go out of existence at once (Hear, hear) . . . .

**Mr. R. S. Sarma** (Nominated Non-Official): By being absorbed in other committees?

**Mr. C. O. Biswas:** If committees are to function in this way, it is just as well that they should not function at all. I should have much preferred that the Government of India accepted responsibility for this themselves. The appointment of this Committee has only made it possible for my friend the Finance Member to claim that he has shown a degree of responsiveness. I wish that we on this side had not made it possible for him to make that claim. When it is a question of levying a duty, and the Finance Member gets a few of his colleagues on this side to agree with him, he is of course delighted, and he is effusive about being responsive. No wonder. I only wish we on this side were more careful. This levy of an additional tax is no solution. It is poor comfort to the Bengal consumer, who will have to pay for it, to be told that the Committee is existing for Honourable Members to come and make up their minds—without probably reading their papers!

Then, another objection to a scheme of protection based on the levy of protective duties or the payment of bounty is how it will affect the question of quality. In my opening remarks I had laid stress on that aspect of the matter. The reference to the Tariff Board was, whether India could not be made self-supporting in the matter of supply of salt to Bengal of the quality to which Bengal had been accustomed. In other words, nothing was to be done which would lead to a deterioration in the quality of that salt. The Tariff Board come to the conclusion that the result of any scheme of protection would be to deteriorate the quality. That is a conclusion which may be right or which may be wrong, but my grievance is this; that the Committee have not carefully examined these arguments and

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given any reasons why they come to a different conclusion. In the name of protection, it does not serve the national interests to foster inefficient industries.

After considering a few other suggestions, they record their conclusion in these final words on page 62 :

"Our conclusion, therefore, is that it is not in the national interest to encourage the production of Indian sea-borne salt unless it can be manufactured and transported to Calcutta at a cost not exceeding on an average Rs. 66 per hundred maunds and that the only method of encouragement which we can recommend is stabilisation of prices over a long period."

And they proceed to consider how this is to be achieved in a different chapter, where they suggest a method of control. Then they come to consider the question of rail-borne salt, and in this connection they consider how far it is possible to expand and develop the existing sources of supply in Northern India and in Rajputana and other places, in order to put an increased output from these sources in the Bengal market. Of course they had not had time to undertake this duty themselves very thoroughly, and therefore they suggested that Government should undertake a thorough survey of the possible sources with a view to determine the extent to which the Bengal market might be supplied by rail with fine white crushed salt:

"Until this survey has been completed" *they said*, "an attempt to assess with any precision the extent of the economic advantages which would accrue from the substitution of Indian for foreign salt would manifestly be premature."

At this stage I may just refer to the Committee which Sir Chunilal Mehta presided over. That Committee was appointed in pursuance of a recommendation of the Tariff Board for exploring the possibilities of finding sources of supply of rail-borne salt. It is just as well that I should pause here for one second to clear up a misapprehension which has arisen out of a passage occurring in my note of dissent to which the Finance Member was pleased to refer the other day. I owe it to Sir Chunilal Mehta, to myself and to the House to make the position quite clear, and although the Honourable the Finance Member no doubt had made that statement, still I think it is only fair that I should take this opportunity to say a few words. After my note of dissent was published, I received a letter from Sir Chunilal Mehta. What I had stated in my minute of dissent was this. "I did not know what led Government to select Sir Chunilal Mehta for this inquiry; if I may say so, he was coming to the work with pre-conceived ideas. As Chairman of the Conference of Salt Producers held in Bombay on the 23rd September last he had sent a telegram to the Government of India, urging emergency action on the lines of the recommendations of the Tariff Board in the interests of the Aden manufacturers among others. It would have been much better if this inquiry had been entrusted to some one who was not committed in advance to an acceptance of the Tariff Board's proposals." Sir, I am free to confess that at the time that I wrote that, I was not aware that Sir Chunilal Mehta had been already appointed Chairman of this Committee before he was asked to preside over the meeting of Salt Producers. I came to know it for the first time from the letter which I received from Sir Chunilal Mehta. On being approached to preside over the Conference he at once wrote to the Government of India to inquire what he should do. If I may say so, in doing so he was perfectly in order. I do not, Sir, in my minute of dissent

suggest that Sir Chunilal Mehta was guilty of any impropriety in accepting the presidentship of that Conference. Although I was not aware at that time that he had already been appointed Chairman of this Committee by the Government, still I say I had made no suggestion of impropriety, and if my remarks have led anybody to think that any such imputation was in my mind, I wish to make it perfectly clear that it is not so, and I am sincerely sorry for any pain I might have caused to Sir Chunilal Mehta by my remarks. But, Sir, my objection against the Government remains, because Government allowed him to preside over this Conference. I think Government would have acted better if they had not done so. Presiding at that Conference means identifying oneself with the salt producers. As a matter of fact, I might tell the House that I have taken some pains to examine the representations made on behalf of that Conference of which Sir Chunilal was the Chairman, and I find that they were pleading for more protection for the salt industry at Aden, and they were strongly opposing anything being done for the protection of salt at Khewra or other places from which rail-borne salt is derived. The Tariff Board in their Report suggest that although there is no case for protection, so far as sea-borne salt is concerned, there might with some plausible justification be put forward a claim for some protection in regard to rail-borne salt. In other words, they thought that at Khewra and other places the possibility of extending and developing salt production ought to be considered. Here on the other hand you find this Conference putting itself strongly against the interests of these sources in India proper. Therefore, I say that in order that the Report of a Committee of such vital importance might command public confidence, it would have been much better if Sir Chunilal Mehta had not been allowed to preside over this Conference. However, that is only by the way. But although the Tariff Board did not make the inquiry as to the possibilities of extending and developing the sources of salt in Northern India, they say this:

"For the purpose of this report it *must be assumed* that salt manufactured in India is capable of such development that in course of time a considerable portion of the 500,000 tons of salt now imported into Calcutta by sea will be manufactured in India and supplied direct by rail to the consuming centres."

This shows they were contemplating that it would be possible to obtain the full quantity of 500,000 tons for Bengal from Khewra and other places in Northern India. But even then the Tariff Board go on to say that although that is a consummation that is very desirable, there is no chance of that consummation being achieved in the near future, and whatever we might do, for many a long year Bengal will have to depend upon sea-borne salt from abroad. This is what they write:

"It must not however be supposed that this result even in the most favourable circumstances could be brought about within any measurable period. Indeed as regards Chittagong and the area in its immediate vicinity, it is probable that the supply of sea-borne salt will always be cheaper. For many years, therefore, it is likely that the import of salt, whether Indian or foreign, by sea will continue."

Then, referring to the sources of rail-borne salt, they say this:

"The manufacturer would have no guarantee of the extent or permanency of his market, since at any moment this is liable to be seriously affected by a reduction in the price of foreign salt."

So they say that the ordinary methods of securing stability in prices by imposing an import duty, and secondly, as regards rail-borne salt by giving protection would be inadequate, and therefore they say that until the

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price of imported salt is stabilised, it will be impossible to undertake the supply of Indian salt by rail to the Calcutta market. Then they consider the question how to stabilise the prices of salt, and they suggest that the one and only way of doing it was for Government to control the purchase as well as the distribution of salt. Their proposal mainly amounts to this. They do not think that a departmental agency of Government would be adequate for that purpose, and therefore they suggest the constitution of what may be called a Marketing Board, which should assume the control and supply of salt. Although, Sir, I will not discuss that question, whether they are right or wrong, suffice it for me to say that the proposals they have put forward for the constitution of a Marketing Board have not found favour even with the Government of India themselves. They were not quite impressed with this suggestion, and I believe the Government of Bengal also had expressed their doubts as to the soundness of this scheme, but it does not follow that because the only scheme which the Tariff Board could think of as necessary for the purpose of securing the desired object was unsound, therefore the other schemes which they had considered and rejected automatically become sound propositions! The Marketing Board may or may not be good, but that does not mean that protection thereby becomes so very desirable.

After having suggested a Marketing Board, they say that it will take a long time to bring it into operation and in the meantime some emergency action seems to be called for. Now that statement that some emergency action seems to be called for has supplied the excuse to my friends on the Committee to put forward their extraordinary proposals. Let us see what the Tariff Board say. At page 78, paragraph 101, they say:

"We do not suggest that such a Board can be constituted immediately or that if constituted its machinery can be organized save after a lapse of considerable time. Further, the full advantages of such control might not be realised for some years. . . . On the whole, however, we consider that with proper supervision and control a system of distribution of this nature, if it could be established, is the only means of reducing the price of salt generally throughout northern India, . . . ."

—Note, Sir, their whole object was to reduce the price of salt and not to protect, as my Honourable friends have said—

" . . . though, as we have seen, important advantages can be secured in the Bengal market by a system of Government control. In the meantime, we are impressed by the fact that before such a Board can be constituted and while Government's survey of the possibilities of extending the sources of supply of railborne salt is in progress, a real danger exists that the salt works at Karachi, Okha and perhaps even the smaller works at Aden may be crushed out of existence by the pressure of foreign competition."

That is the danger which they apprehended, that those smaller works at Aden might be crushed out of existence. But what do they suggest?

"We have found that the retention of these sources is justifiable provided no heavy burden is thrown on the country since they afford some additional employment to Indian labour and serve to retain in the country some profit which would otherwise accrue to foreign manufacturers. Moreover, some portions of the Bengal market must, we consider, be always supplied more economically by sea than by railborne salt. It is therefore desirable to assist these undertakings if this can be effected at no great cost to the country." (*This is the most important portion,—"at no great cost to the country".*) "By introducing control into the Bengal market we believe that not only can an economic price be assured to Indian manufacturers but also the consumers' interests will be safeguarded, and prices averaged over a considerable period will decrease."

This scheme of provisional control which they suggest as an emergency measure has been turned down by the Committee, because they say that it is just as complicated as the main scheme:

"We propose, therefore, as much in the interests of the consumer as of the Indian industry that Government should at once assume control of imported salt and should also standardise the qualities of common crushed and superfine salt. Foreign salt should be purchased at the lowest price obtainable to the extent to which the requirements of the market cannot be met from Indian sources."

That is what they say. All that is brushed aside. I find that the House is getting tired. Sir, I will not say very much more, but I do appeal with all the earnestness that I can command to all sections of the House to remember the interests of the Bengal consumer. You must not sacrifice Bengal in the interests of Aden; it amounts to that. When you are told that you will by this measure be reviving or encouraging or keeping alive the salt industry in India, I say you are not doing anything of that kind whatsoever. All that you are doing is to hand over the profits to the Aden concerns. Aden is now selling salt at Rs. 35 per ton in spite of competition from the foreign manufacturer. The result of this has been that Aden has been enabled to put up prices cent. per cent. at once. Aden is selling free of duty. That country is not getting the benefit of that. Aden puts up the price cent. per cent. and is pocketing all that money. Is that fair? Whereas Khewra, Pachbadra, Sambhar, etc.,—where are they? They are just the same as before, languishing as ever. And if they will be killed, they will be killed not by the Red Sea salt, but they will be killed because of Aden salt whom you are now encouraging with all the step-motherly affection you are capable of.

Sir, I move.

The Assembly then adjourned till Eleven of the Clock on Monday, the 30th March, 1931.



# LEGISLATIVE ASSEMBLY.

*Monday, 30th March, 1931.*

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The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

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## MEMBERS SWORN:

Mr. Herbert William Emerson, C.I.E., C.B.E., M.L.A. (Home Secretary); and

Mr. Abraham Raisman, M.L.A. (Government of India: Nominated Official).

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## QUESTIONS AND ANSWERS.

### CUSTOMS DUTY.

1160. **\*Dr. Ziauddin Ahmad:** (a) Will Government be pleased to give the value of the merchandise on which customs duty was charged in the year 1929-30?

(b) What is the total amount of customs duty realised by Government on such merchandise?

(c) What is the value of the merchandise that passed through the ports under the Government of India on which no customs duty was charged? To whom was such merchandise addressed?

(d) What is the amount of customs duty that would have been realised had they not passed free of customs duty?

(e) What is the value of the merchandise imported into India through the ports not directly under the Government of India?

(f) What would be the amount of customs duty on such merchandise, had it been received through British ports?

**The Honourable Sir George Schuster:** (a) No special records is maintained in the trade statistics distinguishing between merchandise that is free from duty and merchandise that is dutiable; but the Honourable Member will be able to work out these particulars, so far as items free under the Tariff are concerned, by referring to the sea-borne Trade Accounts for March, 1930, and taking out the value for each item that is free under the Tariff, totalling these values and then deducting them from the total value of merchandise imported or exported.

(b) Rs. 42,72,79,426.

(c) and (d). I assume that the Honourable Member refers to merchandise which is dutiable under the ordinary law but exempted when imported by certain consignees. There are some comparatively unimportant



exemptions of this kind, such as those in favour of commercial travellers' samples, reimported private personal property, and the effects of consular officers, particulars of which are not on record and could not be obtained without imposing inordinate labour upon Customs officers. The most important exemptions of the kind quoted are two in number: that conferred upon Ruling Chiefs in respect of goods for their personal use by Finance Department Notification No. 86, dated the 27th August, 1927; and that conferred upon Government in respect of aeroplanes and arms, ammunition, etc., by the Notification in the same Department, No. 788, dated the 1st April, 1924. Figures as regards the duty involved in the first concession are in the possession of Government. These figures are recorded by calendar years and therefore cannot be given for 1929-30; the total value of the merchandise also is not separately recorded. The amount of duty that was foregone was in the year 1930 Rs. 1,47,364. Duty figures are not available as regards the second concession, but the trade returns show a value figure of just under Rs. 48 lakhs in 1929-30 against the head "Government stores—arms, ammunition and military stores".

(e) and (f). The information has been called for and will be communicated to the Honourable Member.

**Mr. K. Ahmed:** What was the name of the Indian Chief who was exempted from the payment of duty for an aeroplane and other things?

**The Honourable Sir George Schuster:** I must have notice of that question.

**Mr. K. Ahmed:** When it struck the Honourable the Finance Member that it was the Indian Chief, who according to him is a privileged person, not paying customs duty to the Government of India for the articles transported by land, he must have seen who was that Indian Chief. It was his duty to answer the question without notice, Sir.

**The Honourable Sir George Schuster:** I am afraid I do not follow the Honourable Member's question but I must have notice of it in any case.

**Diwan Bahadur A. Ramaswami Mudaliar:** May I ask the Honourable the Finance Member whether the merchandise that goes to any particular State is exempt from customs duties, Kashmir for instance.

**The Honourable Sir George Schuster:** I am afraid I did not catch my Honourable friend's question.

**Diwan Bahadur A. Ramaswami Mudaliar:** Is there any convention by which all merchandise that enters the State of Kashmir is free from duty?

**The Honourable Sir George Schuster:** In the answer I have given the fullest information I could in reply to the question. If any further information is required I think I must ask for notice.

#### ALLOWANCES AND PRIVILEGES OF OFFICERS OF THE INDIAN TERRITORIAL FORCE.

1161. **\*Nawab Major Malik Talib Mehdi Khan:** (a) Will Government be pleased to state whether the British officers of the Regular Army attached to the Indian Territorial Force draw camp allowance of Rs. 6 per day, while senior grade officers of the Indian Territorial Force get Rs. 5 only? If so, do Government propose to consider the removal of this difference?

(b) Is it a fact that officers of the Indian Territorial Force are not allowed any casual leave during their training period? If so, do Government propose to extend this privilege to them as enjoyed by the officers of the regular Army?

(c) Is it a fact that the senior grade officers during Preliminary and Periodical Training draw a camp allowance of Rs. 5 per day and are deprived of this privilege while attached to the Regular Army units for voluntary training? Do Government propose to consider extension of this privilege in the second case also?

(d) Are the Indian Territorial Force supplied with barracks and *charpies*? If not, will Government please state why they should not get an allowance that is allowed to the Indian Army during war time, and whether the conditions under which they serve are practically the same?

(e) Will Government please state whether there is any difference in the ranks of junior grade officers of the Indian Territorial Force and the Regular Army? If not, why are the former placed below the latter in the same grade, though senior in service?

(f) Is it a fact that the names of officers holding King's commission of the Auxiliary Force are shown in the Civil List? If so, do Government propose to show the names of senior grade officers of the Indian Territorial Force also in it?

**Mr. G. M. Young:** (a) The answer to the first part of the question is in the affirmative. The rate of camp allowance for officers of the Indian Territorial Force was recommended by the Auxiliary and Territorial Forces Committee, and Government consider it adequate.

(b) Casual leave without pay can be granted. In view of the shortness of the training period, it would not be justifiable to provide for the grant of casual leave with pay.

(c) The allowance of Rs. 5 per diem is a camp allowance and is admissible only when officers live in camp. The question of granting a similar allowance to senior officers of the Indian Territorial Force who are in camp when attached to regular units during voluntary training will, however, be examined by Government.

(d) The answer to the first part of the question is in the negative; but I may explain that, in this respect, Indian Territorial Force units are treated in exactly the same way as units of the regular Army. Government cannot admit that the conditions of service are the same during training as in war.

(e) By virtue of the difference in the conditions of service all officers of the Territorial and Auxiliary Forces take rank below corresponding officers of the regular Army.

(f) The names of officers of the Auxiliary Force are shown in some, but not all, of the Provincial Civil Lists. The question of similarly showing the names of officers of the Indian Territorial Force is a matter for the Local Governments, to whom a copy of this question and answer will be sent.

#### QUANTITY OF WHEAT IMPORTED INTO INDIA.

1162. **\*Nawab Major Malik Talib Mehdi Khan:** Will Government be pleased to state the quantity of wheat imported into India through various ports during the period from the 1st January, 1931, to the 15th March, 1931?

**The Honourable Sir George Rainy:** Figures for the exact period mentioned by the Honourable Member are not available, but the quantities of wheat imported into India during the period from the week ending on the 3rd January, 1931, to the week ending on the 14th March, 1931, through the ports of Calcutta, Bombay and Karachi were 67,951, 29,249 and 7,915 tons, respectively.

**REPORT OF THE TARIFF BOARD ON THE QUESTION OF PROTECTION TO THE MORARJI CHEMICAL WORKS.**

**1163. \*Mr. N. M. Dumasia:** Will Government be pleased to state when they propose to release the Tariff Board's Report on the proposal for protection to the Morarji Chemical Works and when they propose to take action thereon?

**The Honourable Sir George Rainy:** It is the intention of Government of India to publish the Report of the Tariff Board on the Chemical Industry before the end of May. The action to be taken cannot be indicated until the Report is published.

**Mr. B. Das:** May I inquire what was the reason for this inordinate delay in publishing this particular Report of the Tariff Board?

**The Honourable Sir George Rainy:** I have already explained, Sir, on more than one occasion that the Report raises rather difficult and complicated questions, different in character from those which have arisen on other Reports.

**Mr. K. Ahmed:** Is it true, that the delay was due to the fact that the Honourable the Leader of the House was thinking whether publicity should be given so soon, or is it the fact that they were apprehending any other difficulties or that publicity might do injury to the Government Department in question? What was the reason?

**The Honourable Sir George Rainy:** No, Sir.

**Mr. K. Ahmed:** Then what was the reason for such delay?

**The Honourable Sir George Rainy:** I cannot admit the justice of the implication which my Honourable friend suggests.

**Mr. B. V. Jadhav:** Is it in print, or is it going to be printed?

**The Honourable Sir George Rainy:** It is in print.

**Mr. B. V. Jadhav:** May I know why two months are required for bringing it out?

**The Honourable Sir George Rainy:** Because it is desirable that the conclusions of the Government should be indicated at the time of the publication.

**Mr. B. V. Jadhav:** When did the Government receive the Report from the Tariff Board?

**The Honourable Sir George Rainy:** I have given that information, Sir, in answer to a previous question in this House. I have not got the date in my head.

**Mr. K. Ahmed:** Is it not a fact, Sir, that three years had elapsed since then, since the Report was presented for publication, and the Honourable Member representing the Department took three years longer to consider the matter fully, and has only recently been kind enough to publish the Report?

**The Honourable Sir George Rainy:** I am quite aware, Sir, that the Government have taken a long time to consider the Report.

**Sir Cowasji Jehangir:** Will Government be pleased to state whether the Leader of the House, when he was questioned last year, informed this Honourable House that the delay was due to Government's being pressed with hard work,—that the Department was full of work so that they had not time to consider the Tariff Board's Report? A year has elapsed since then; and may I ask whether the same reasons still delay the Government's decision in the matter?

**The Honourable Sir George Rainy:** I have no recollection, Sir, of giving that reply.

**Sir Cowasji Jehangir:** Will the Honourable Member look it up?

**The Honourable Sir George Rainy:** Certainly.

**Sir Cowasji Jehangir:** If my facts are correct, will Government now admit that the delay has been due to some other reason than the great pressure of work on Government?

**The Honourable Sir George Rainy:** I cannot admit the implication of the question, Sir: it all depends on the word "if".

**Mr. K. Ahmed:** Are the Government aware, and particularly the Leader of the House, that, while answering a question, it is their duty, before answering any question, to see what answer they had already given on the subject? (Laughter.) If the answer is in the negative, shall I call their attention to the way in which the answer should be given according to the Rules and Standing Orders? (Hear, hear.) If it is in the affirmative, will they be pleased to answer the question? (Hear, hear.)

**The Honourable Sir George Rainy:** That seems to be a question, Sir, which it is hardly for me to pronounce upon.

#### PROTECTION FOR COPPER WIRE.

1164. **\*Mr. N. M. Dumasia:** (a) Will Government be pleased to state whether the manufacturers of copper wire have applied for protection?

(b) Is it a fact that the Tariff Board have reported that a *prima facie* case has been made out for protection?

(c) If the reply to part (a) be in the affirmative, will Government please state when the application for protection was received?

(d) Will Government please state the reasons why they have delayed taking action in the matter?

(e) Is it a fact that Government wrote to the Indian Cable Company as far back as October last year that their application was noted as one suitable for reference to the Tariff Board?

(f) When do Government propose taking action in the matter?

**The Honourable Sir George Rainy:** (a) Yes, Sir.

(b) In their Report on the question of tariff equality in respect of electric wires and cables the Tariff Board remarked that in their opinion a *prima facie* case existed for holding an enquiry into this Company's claim for protection.

(c) The Indian Cable Company applied for protection in July, 1929, but full particulars required for the consideration of their application were not received till February, 1930.

(d) As the Company were informed last year, the Tariff Board has been fully occupied with other urgent enquiries.

(e) Yes.

(f) Government hope to refer the case to the Tariff Board very shortly.

#### CANALS IN THE GANJAM DISTRICT AND ORISSA.

1165. **\*Mr. B. N. Misra:** (a) Will Government be pleased to state the year or years in which (i) the Rusikulya or canals in the Ganjam District, and (ii) the canals in Orissa were made?

(b) What was the expenditure incurred for the canals mentioned above separately?

(c) What is the interest charged annually for the projects mentioned in part (a)?

(d) Will Government be pleased to state the amount of annual expenditure incurred under (i) establishment charges, and (ii) repairs, etc., during the years 1925 to 1930 on account of the projects mentioned in part (a) above?

**Mr. J. A. Shillidy:** (a) The Rusikulya canals project was completed in 1891-92, and the Orissa-canals project in 1885.

(b), (c) and (d). The Honourable Member is referred to Accounts Nos. 33 and 36A, of the Finance and Revenue Accounts, copies of which are in the Library of the House.

#### LACK OF FACILITIES AT SIMLA IN CONNECTION WITH THE CARRIAGE OF BAGGAGE AND RECORDS.

1166. **\*Mr. B. N. Misra:** (a) Are Government aware that at the time of the Government of India moves some clerks or departmental agents make arrangements for the carriage of officers' and their subordinates' luggage to Simla and Delhi?

(b) Are Government aware that previous to the last move the Chief Goods Clerk, Simla, used to give every facility to men making such arrangements in the shape of placing wagons at their proper place and time and arranging weighing machines to be placed at different places in the main goods shed to weigh every one's luggage?

(c) Is it a fact that since the last October move the new Chief Goods Clerk, Simla, has withdrawn all these facilities?

(d) Are Government aware that during the last move departmental agents were put to great inconvenience on account of bad arrangements of shunting and withdrawal of weighing machines from the Railway goods shed, Simla?

(e) Are Government aware that except in the case of the Railway Department the Chief Goods Clerk, Simla, used insulting language to departmental agents? If not, do Government propose to enquire into the matter? If not, why not?

(f) Are Government aware that the Chief Goods Clerk, Simla, openly declared his intention of putting more obstacles in the way of smooth working of the removal of Government records and officers' luggage? If not, do Government propose to enquire into the matter? If not, why not?

(g) Is it a fact that at the time of last move of the Government of India, under the instructions of the Chief Goods Clerk, the main goods shed, Simla, was not allowed to be used for loading Government records and officers' luggage in wagons booked by departmental agents?

(h) Are Government aware that officers' luggage was exposed to rain and dust in the open yard of Simla goods shed during the last move? If so, what steps do Government propose to take to prevent its recurrence in the ensuing move?

(i) Are Government aware that the Chief Goods Clerk, Simla, openly declared that he did not like Government of India clerks making arrangements for their officers' luggage and that he would see that they are put to every inconvenience and brought to the bad books of their officers? If not, do Government propose to inquire into the matter? If not, why not?

**Mr. A. A. L. Parsons:** (a) Yes.

(b) Government are unaware of the extent to which the Railway authorities have co-operated in the past as regards facilities on the Railway.

(c), (d), (g) and (h). I understand that certain complaints of this nature have been made.

(e), (f) and (i). Government have no information of the incidents referred to.

The matters referred to in the Honourable Member's question lie within the competence of the Railway Administration.

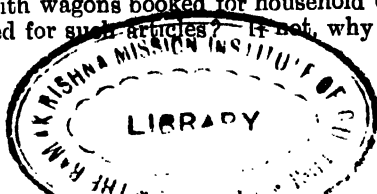
#### FACILITIES FOR BOOKING OF GOODS AT NEW DELHI RAILWAY STATION.

1167. **\*Mr. B. N. Misra:** (a) Will Government be pleased to state whether New Delhi Railway Station will be open to goods booking for full wagon loads only or will it be open to small consignments as well at the time of the coming move of the Government of India?

(b) Is it a fact that there are different rates of railway freight for the wagons booked containing household effects from those of certain miscellaneous articles like cycles, typewriters, sewing machines and boxes containing books, etc.?

(c) Is it a fact that the New Delhi Railway Station authorities did not allow in the past the booking of those articles (which did not come in the category of household effects), in the wagons booked for household effects of an officer, even if the officer concerned was willing to pay the usual higher rate of freight?

(d) Are Government aware that officers moving between Simla and Delhi are put to great difficulties in weighing and booking their belongings separately? Do Government propose to allow such belongings of the officers moving to Simla to be loaded with wagons booked for household effects on payment of the extra freights fixed for such articles? If not, why not?



**Mr. A. A. L. Parsons:** (a) During the move of the Government of India from Delhi to Simla, New Delhi Station is open temporarily for booking at goods rates of household effects and Government records in full wagon loads.

(b) Cycles, typewriters, sewing machines and boxes containing books, etc., if included in a wagon-road consignment of household effects are charged at the rate for household effects. If such articles are booked separately, they are charged at different rates.

(c) I understand that, subject to the proviso that no goods may be booked in less than full wagon loads, the answer is in the negative.

(d) Government are not aware of difficulties such as are alleged. Determination of the conditions under which goods may be booked at New Delhi Station is a matter within the competence of the North Western Railway Administration and Government do not propose to take any action.

**Mr. K. Ahmed:** Are Government aware that the New Delhi Station has been provided primarily for the purpose of giving facilities for transmission to the people who have to work in New Delhi, and particularly to the officers and staff and the Members of the Legislature and others?

**Mr. A. A. L. Parsons:** Government are certainly aware of the fact that the New Delhi Station exists in order to give facilities for traffic, Sir, and, as my answer shows, it is used for that purpose.

**Mr. K. Ahmed:** In view of the fact that the Honourable Member has already answered otherwise, would he like to change now the very answer that he gave?

**Mr. A. A. L. Parsons:** I cannot accept the statement that I have answered otherwise.

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### UNSTARRED QUESTIONS AND ANSWERS.

#### FINES RECOVERED FROM EMPLOYEES OF THE BENGAL AND NORTH WESTERN RAILWAY.

417. **Mr. Amar Nath Dutt:** (a) Will Government be pleased to state the total amount of fine recovered from the employees on the Bengal and North Western Railway?

(b) How has the sum so recovered been disbursed?

**Mr. A. A. L. Parsons:** During the year 1929-30, the last year for which figures are available the fines inflicted amounted to Rs. 9,020. In the same year the following disbursements were made from the Fine Fund:

	Rs.
(1) Assistance to Hospital . . . . .	340
(2) School . . . . .	8,763
(3) Recreation Club . . . . .	7,481
(4) Miscellaneous payments . . . . .	1,560

**RECORDS OF APPOINTMENT, PROMOTION, TRANSFER, ETC., OF WORKMEN ON THE BENGAL AND NORTH WESTERN RAILWAY.**

**418 Mr. Amar Nath Dutt:** (a) Is it a fact that no letters regarding appointment, promotion, transfer, punishment, etc., are given to workmen of the Bengal and North Western Railway Workshops, Gorakhpur?

(b) Is it a fact that there are cases in which the employees claim to have served the Railway for longer durations than the Railway Administration admit?

(c) Do Government propose to draw the attention of the Railway Administration to the desirability of communication in writing to individuals in regard to the above-mentioned matters? If not, why not?

**Mr. A. A. L. Parsons:** (a) and (b). Government have no information.

(c) Government will bring the Honourable Member's question to the notice of the Agent, Bengal and North Western Railway.

**GATEMEN AT LEVEL CROSSINGS ON THE BENGAL AND NORTH WESTERN RAILWAY**

**419. Mr. Amar Nath Dutt:** (a) Will Government be pleased to state the following:

- (i) the total number of gatemen posted on the Bengal and North Western Railway level crossing gates;
- (ii) the total number of quarters built for them;
- (iii) the total number of those who are not supplied with quarters;
- (iv) the number of gatemen posted at each level crossing gate; and
- (v) the total number of level crossing gates where only one gateman is posted?

(b) Are single-handed gatemen not allowed to leave their level crossing gates?

(c) Are there level crossing gates where there is no well? If so, how do the gatemen manage to get water?

(d) What is the total number of level crossing gates?

(e) Are the quarters of gatemen provided with latrines?

(f) What are their minimum and maximum wages?

**Mr. A. A. L. Parsons:** The Agent of the Bengal and North Western Railway is being asked to furnish the particulars in question and I will communicate with the Honourable Member later.

**LEAVE RULES ON THE BENGAL AND NORTH WESTERN RAILWAY.**

**420. Mr. Amar Nath Dutt:** (a) Will Government be pleased to state whether scales of leave, as mentioned in Railway Board's letter No. 8003-E., dated the 6th July, 1929, in reply to my unstarred question No. 333 on the 18th March, 1929, have been inserted in the Leave Rules of the Bengal and North Western Railway and whether they have been notified to the staff concerned? If not, why not?

(b) Are leave rules not supplied to subordinate servants of the same Railway?



(c) Are lower class menial staff and workshop employees not given leave according to the existing rules on the said railway? If not, why not?

**Mr. A. A. L. Parsons:** (a) and (b). As already stated in the letter referred to, the scale of leave is provided for in the rules. It is not usual to supply copies of the leave rules to each member of the staff, but they have means of becoming acquainted with them.

(c) Because on the Bengal and North Western Railway as on other railways, it is considered that the conditions of employment of the menial staff and workshop employees do not warrant the same scale of leave as is admissible to the subordinate staff generally.

#### WEEKLY REST DAY ON THE BENGAL AND NORTH WESTERN RAILWAY.

**421. Mr. Amar Nath Dutt:** With reference to the reply given to my unstarred question No. 334 interpellated on the 18th March, 1929 (*vide* Railway Board's letter No. 8004-E., dated the 6th July, 1929), will Government be pleased to state:

- (a) whether the station clerical staff on the Bengal and North Western Railway are now granted a weekly off-day or any rest day during any period of time; if not, why not; and
- (b) whether non-clerical staff posted at stations are not to be granted any rest day; if not, why not?

**Mr. A. A. L. Parsons:** I have called for certain information and will communicate with the Honourable Member on its receipt.

#### RACIAL DISCRIMINATION IN PAY ON THE BENGAL AND NORTH WESTERN RAILWAY.

**422. Mr. Amar Nath Dutt:** With reference to Mr. P. R. Rau's assurance to Mr. Gaya Prasad Singh about making inquiries in regard to pay given to Europeans and Indians on racial discrimination (*vide* Mr. Siddheswar Prasad Singh's starred question No. 1088 asked on the 18th March, 1929), will Government be pleased to state if they have inquired into the matter, and if so, what are their findings?

**Mr. A. A. L. Parsons:** In answer to an enquiry from the Railway Board the Agent, Bengal and North Western Railway, reported that there is no racial discrimination on the Bengal and North Western Railway in regard to the pay given to Indians, Anglo-Indians and Europeans for work of the same kind and degree of responsibility.

#### PROVISION OF TELEGRAPH COMMUNICATION AT CERTAIN VILLAGES IN THE BURDWAN DISTRICT.

**423. Mr. Amar Nath Dutt:** (a) Are Government aware that three important villages such as Baidyapur, Akalposh and Bagnapara in the District of Burdwan have got no telegraph communication?

(b) Is it a fact that these villages can be easily given telegraphic communication without much cost?

(c) If so, do Government propose to inquire into the matter?

**Mr. H. A. Sams:** (a) It is correct that telegraph facilities are not available in the villages referred to by the Honourable Member. The question of providing such facilities is within the competence of the Postmaster-General of the Circle to decide. Government have no information regarding the importance of the villages referred to.

(b) Government have no information.

(c) Does not arise.

#### THE AKALPOSH POST OFFICE.

**424. Mr. Amar Nath Dutt:** (a) Is it a fact that Akalposh is a branch post office with a very good income?

(b) If so, do Government propose to make it a sub-office? If not, why not?

**Mr. H. A. Sams:** (a) and (b). Government have no information except that Akalposh is a branch post office. The matter is entirely within the competence of the Postmaster-General, Bengal and Assam.

#### LACK OF MONEY ORDER FACILITIES FOR THE EMPLOYEES OF THE TATANAGAR<sup>R</sup> FOUNDRY COMPANY.

**425. Mr. Amar Nath Dutt:** (a) Is it a fact that the employees of Tatanagar Foundry Company have to go to Golmuri (Tinsplate Company's) Post Office after the pay day and are Government aware that they have to apply for a day's leave to send a money order owing to heavy rush of money orders in that Post Office?

(b) Is it a fact that money orders for Rs. 10,000 to 15,000 are sent by the employees of the Tatanagar Foundry Company alone?

(c) If so, do Government propose to have a post office at the Tatanagar Foundry Works? If not, why not?

(d) Is it a fact that there is no letter box within easy reach of the Tatanagar Foundry Works?

(e) Are Government aware that people have to wait for two to three hours at the Jamshedpur and Tatanagar post offices to send their money orders?

**Mr. H. A. Sams:** (a) to (e). Government have no information. The matter is within the competence of the Postmaster-General, Bihar and Orissa, to whom a copy of the question is being sent.

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#### SHORT NOTICE QUESTION AND ANSWER.

##### APPLICATION OF PROVIDENT FUND CONTRIBUTIONS TO PAYMENT OF INSURANCE POLICY PREMIUMS.

**Sir Cowasji Jehangir:** (a) Will Government be pleased to state whether the rules of the Provident Funds of the Government of India, Provincial Governments, Municipalities and local funds in India and the Bombay Port Trust permit subscribers at their option to apply the contribution which they would ordinarily make to the Provident Fund as premiums on a Life Assurance Policy, provided such policy is assigned to the employers?

(b) Will Government be pleased to state whether the Provident Fund Rules of the State Railways contain any such provision, and if not, will Government please state the reasons for refusing such facilities to subscribers to the State Railways Provident Funds?

**The Honourable Sir George Rainy:** (a) The answer is in the affirmative so far as the General Provident Fund Rules, the rules of the I.C.S. Provident Funds, the new Contributory Provident Fund Rules which will be introduced with effect from the 1st April, 1931, and the Bombay Port Trust Fund Rules are concerned. Information regarding the Provident Fund Rules of Municipalities and local funds in India is not available.

(b) The answer to the first part of the question is in the negative. As regards the second part, the reasons for the absence of similar provision in the rules of the State Railway Provident Fund are that while the General Provident Fund is a supplement to pension, the State Railway Provident Fund is in lieu of pension, and it has been considered doubtful whether it would be in the real interests of the subscribers to give them the option to apply their contributions to the payment of life insurance premia. Now, however, that a different principle is about to be applied in respect of the Government of India contributory funds other than the State Railway Provident Fund, the question of revising the rules of the latter in the direction referred to will be re-examined.

## MOTION FOR ADJOURNMENT.

### COMMUNAL RIOT AT CAWNPORE.

**Mr. President:** Order, order. I have received a notice from Mr. Maswood Ahmad that he proposes to ask for leave to move a motion for the adjournment of the business of the House today for the purpose of discussing a definite matter of urgent public importance, namely, the recent communal riots in Cawnpore. I have to inquire whether any Honourable Member has any objection to this motion.

**The Honourable Sir James Orerar** (Home Member): Sir, I do not propose on behalf of Government to raise any objections to this motion. But I should like to repeat, as I did on a former occasion, that I hope that if the House grants leave for this motion, Honourable Members taking part in the debate will speak with a very grave sense of responsibility, and will refrain from adding fuel to what may still be a smouldering fire.

(At this stage Bhair Parmanand Devta Sarup rose.)

**Mr. President:** Is the Honourable Member rising to take objection?

**Bhair Parmanand Devta Sarup** (Ambala Division: Non-Muhammadan): I object to this motion, and my reasons are these' . . .

**Mr. President:** The Honourable Member may simply object; no reasons are required.

**Bhai Parmanand Devta Sarup:** Sir, I object to the motion for adjournment.

**Mr. President:** As objection has been taken, I would request those Honourable Members who are in favour of leave being granted to rise in their places.

(Several Honourable Members rose in their places.)

Order, order. As not less than 25 Members have risen, I declare that leave is granted and that the motion will be taken up for discussion at 4 p. m. this afternoon.

**Mr. Jehangir K. Munshi** (Burma: Non-European): May I, Sir, draw your attention to . . . . .

**Mr. President:** Your notice for adjournment cannot be taken up now, because the previous one has been accepted by the House.

**Mr. Jehangir K. Munshi:** But may I request the Chair to take it up tomorrow?

**Mr. President:** The Chair will consider it.

#### ELECTION OF MEMBERS TO THE STANDING COMMITTEE FOR THE DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

**Mr. President:** I have to inform the House that Khan Bahadur Maulvi Rafiuddin Ahmad, Kumar Gupteshwar Prasad Singh and Mr. B. N. Misra have been elected to the Standing Committee for the Department of Education, Health and Lands.

#### THE SALT (ADDITIONAL IMPORT DUTY) BILL.

**Mr. President:** The House will now proceed with the further consideration of the Bill to impose a temporary additional customs duty on foreign salt.

**Mr. R. K. Shanmukham Chetty** (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): Mr. President, as one of the Members of the Committee that examined the Report of the Tariff Board on the question of protecting the salt industry in India, and as one of the signatories to the majority Report of that Committee, I think it will perhaps be useful if I intervene early in the debate to explain the reasons which induced the majority of that Committee to recommend the imposition of a duty of 4½ annas on foreign imported salt. But before I proceed to explain the reasons that induced the majority on this Committee to come to this conclusion, I think it would clear up the issue considerably and remove a great deal of suspicion and misunderstanding if my Honourable friend, the Finance Member, will tell us what Government intend to do with regard to one particular recommendation, or rather expression of

[Mr. R. K. Shanmukham Chetty.]

opinion, which the Committee has made. In paragraph 10 of the Report the Committee mention that there is a strong equitable case for the application of the proceeds for the benefit of the special classes of consumers on whom the burden of the immediate effect of increase in prices will fall. The object of the Committee in making this recommendation was that the proceeds of the duty should not be taken for the benefit of the Central Revenues, but that after meeting the charges that will be incurred in developing certain sources of salt supply, the balance of the proceeds of the duty must be given over to the provinces of Bengal, Bihar and Orissa, Burma and Assam, whose consumers will be primarily affected by the imposition of this duty. Well, Sir, if it is made clear that Government intend to act on this recommendation of the Committee, I think it will probably clear up a great deal of misunderstanding and suspicion that exist on this side of the House. Therefore, before I proceed with my speech, I would invite my Honourable friend, the Finance Member, to tell the House what Government propose to do in this matter. If you will kindly permit him, I would like to hear from the Honourable the Finance Member what he has to say.

**The Honourable Sir George Schuster** (Finance Member): Sir, I am very grateful to you for giving me an opportunity at this early stage in the debate for making an explanation of the Government's attitude in this matter. I was rather sorry on Saturday to hear my Honourable friend, Mr. Biswas, referring in somewhat sceptical—I might almost say in disparaging—terms to the Committee's recommendation that the provinces affected had a strong equitable claim. As a member of the Committee, I think he might have known that this expression was not, as he suggested, mere eye-wash, and that we meant what we said. The expression was, as a matter of fact, very carefully phrased because members of the Committee appreciated that a most important principle was involved, for I think, it will be admitted that it would be a most dangerous precedent if anything was done which involved the acceptance of a principle that when general customs duties are imposed on the whole of India, the proceeds should be allocated to any particular area which might be especially affected. That, I venture to suggest, would be a very dangerous and far-reaching principle. Therefore, the Committee at my request and, if I may say so, with a very proper appreciation of their responsibilities, refrained from making any recommendation in terms which might involve the acceptance of that principle or in terms which might involve considerable embarrassment to the Government and to myself as a Government member of that Committee. But the recommendation has since then received very serious consideration from the Government and I am glad to be able to state that I can now clear up the Government's position in this matter.

We have come to the conclusion that we should be justified in treating this as a very special case. I think every one will agree that the circumstances are entirely exceptional and that the scheme has perhaps a more definitely limited effect than is likely to occur in any other case. It is indeed a very special case for the only area which uses imported foreign salt is a well-defined area. But, apart from that, and as a stronger reason than that the measure is a measure which we have recommended to be imposed for one year only, during which time we want to see how it works, while we can examine whether it is possible to devise measures for improving the production of salt which will in the long run have the effect of

protecting the interests of the consumer. That being the object, the protection of the interests of the consumer, it would be an extraordinary result if even for a short period, the interests of the consumer were directly damaged. In view of these very special considerations, we on the Government side, provided the House agrees to this, are quite prepared to commit ourselves straight away to applying the proceeds of the duty during this provisional year for the benefit of the provinces affected, subject to certain prior charges according to the recommendations of the Committee. I would make clear exactly what the effect of that proviso is. The Committee's recommendation was that the proceeds of the duty should be earmarked for the following objects:

- (1) The development of certain Northern India sources in the manner recommended by the Salt Survey Committee;
- (2) The investigation of the possibility of the development of other sources of supply in India, particularly in the Eastern parts of India which have not yet been investigated;
- (3) Any further measures that might be found necessary in the light of experience to secure the stabilisation of prices, for example, the establishment of a Marketing Board and the provision of working capital and reserves for such a Board.

Now, Sir, we considered that the first two objects, namely, the expenditure of money on the development of certain definite schemes in Northern India and the investigation of certain other definite schemes in the Eastern parts of India, we considered that those two objects must be pursued, and that they could be pursued this year. But the third object, namely, the reserving of the balance for further measures, that might be found necessary for stabilising the prices, such as the establishment of a Marketing Board, those measures cannot really be undertaken in the next year, and therefore, we propose that any claim for those measures should be deferred. Therefore the proceeds of the duty will be available for the benefit of the provinces affected, subject only to carrying out certain definite measures and certain definite investigations. Now, the probable cost of those definite measures and definite investigations would be at the outside, something like 3 to 5 lakhs, and therefore, our suggestion is that a sum representing not more than a maximum of one-eighth of the duty should be reserved for undertaking those purposes, and that the remaining seven-eighths should be earmarked for the benefit of the provinces affected. The one-eighth is, as I have said, the maximum, and we should certainly not endeavour to spend money up to that amount if we find it is not necessary. It may quite well not be necessary to spend as much as that, but I think it would be safe to reserve one-eighth for that purpose. Therefore, that is the position, that if our view of the situation is accepted by the House, then out of 34 lakhs, if that is realised, seven-eighths would be available for the benefit of the provinces affected. I indicated in dealing with this measure at an earlier stage that the proper way of giving effect to an arrangement of that kind would be by passing a Resolution in this House, following the precedent of the case of the Road Fund. A special two-anna duty on petrol, which was accepted by this House two years ago, was allocated for the Road Fund on the motion of my Honourable friend, Sir Bhupendranath Mitra. On that occasion, after the duty had been passed at the Delhi Session, Sir Bhupendranath Mitra moved at the

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Simla Session a rather long and complicated Resolution dealing with the application of the proceeds. We had thought that it would be better not to move any Resolution dealing with the proceeds of the Salt duty this session, because, firstly, we could not move in the matter at all until the Bill had been passed, secondly, we could not decide our policy as regards the Resolution until we had some expression of public opinion which we expected to get in the course of this debate, and thirdly, the Resolution itself might be a matter of some complication, if in its own terms it seeks to define exactly how the proceeds are to be distributed between the various provinces. But, if in the course of this debate, we found that the general opinion was strongly in favour of a Resolution on these lines, and if the opinion of the House was that a Resolution in general terms would meet the point—when I say in general terms, it would be necessary, in such a case to lay down that up to one-eighth might be reserved for the purposes which I have explained and that the balance should be distributed in such a manner as might be decided by the Governor General in Council as between the provinces concerned—if that Resolution would meet the case and the views of the House and if the House feels that a Resolution ought to be passed this session, I would do my best, after consulting with you, Sir, to see whether we could get it through before the business of this session ends. But that is a matter on which we should be very glad to have expressions of opinions. That is all I have to say in the matter. Having made this clear statement about the intentions of the Government, I hope very much that some of the acrimony which has entered into this debate on the part of those who have spoken on behalf of Bengal, I hope very much that some of their acrimony will disappear. I venture to think that my Honourable friend, Mr. Chetty, will be able to give a very satisfactory account of the scheme when he proceeds with his speech.

**Sir Abdur Rahim** (Calcutta and Suburbs: Muhammadan Urban): I wish to ask just one question. Are the Government now in a position to declare that seven-eighths will be made over to the provinces concerned in order that that amount may be earmarked for the benefit of what are called nation-building activities such as primary education, for instance, in Bengal, or will it be merged in the general revenues of the provinces? That would be rather an important consideration for this side of the House.

**The Honourable Sir George Schuster:** In making my statement, I had not intended to suggest that we should seek to impose on the provinces concerned any directions as to how they should apply the funds. I venture to suggest to my Honourable friend that it would really be hardly appropriate in this case, even if we desired to do so, to ask them to adopt such a course. We are only dealing with revenue for an experimental measure destined to remain in force for one year only. We are only considering one year at present and I would suggest that the small sum which would go to each of those provinces is not one which could be used for establishing any very important policy in the matter of nation-building purposes. I think the question could be better discussed when in the light of experience we come to consider whether the scheme is to remain permanently in force. I venture to suggest that it will be undesirable that we should give any definite instructions to the provinces as to the application of the proceeds of this fund.

**Mr. O. C. Biswas** (Calcutta: Non-Muhammadan Urban): May I ask the Honourable the Finance Member why he did not find it possible to make this definite announcement on Saturday last. The result is, I am debarred, having spoken once, from meeting this part of the case which he has now placed before the House for the first time. I submit it was not fair to the Mover of the amendment not to have been apprised of the intentions of the Government at an earlier stage.

**Mr. R. K. Shanmukham Chetty**: Mr. President, I am sure the House will agree with me that we are obliged to the Honourable the Finance Member for making the position of the Government clear on this matter. With due respect to my Honourable friend, Mr. Biswas, I venture to suggest that nothing unfair has been done to anybody either in this House or outside by this announcement of the Government being made today rather than on Saturday. Now, that it is clear that a major part of this duty will be given for the benefit of those provinces which will have to bear the burden, now that this point has been made clear, I think my Honourable friends on this side of the House need not have any more suspicion or mistrust on that point. The Honourable the Finance Member wanted the opinion of this House as to the procedure that the House would like to adopt in arriving at this conclusion. I would suggest to him that on the whole, it will be satisfactory if before the end of this session, a Resolution is moved in this House recommending to the Governor General in Council to apply the proceeds of this duty in the manner suggested by the Honourable the Finance Member. In this connection, I would just like to say one word about the very excellent suggestion that came from my Honourable friend, the Leader of the Independent Party. Honourable Members will remember that a similar question was raised in this House when we remitted the provincial contributions. Opinion was then expressed on that occasion that we should ask the Provincial Governments to apply the proceeds of this remission to nation-building departments and not merely take them to the credit of their general revenues. It was then explained, as it was explained just now by my Honourable friend, the Finance Member, and very rightly too, that it was not proper that this House should fetter the discretion of the Provincial Governments in this matter. But, Sir, I would submit, that we might in this instance follow the same procedure as we adopted on the last occasion when we remitted the provincial contributions. In the Resolution that is to be placed before us for the acceptance of this House, a rider might be added that in the opinion of this House the Provincial Governments ought to utilise the proceeds of this duty for some non-recurring nation-building service. It will be purely a recommendation which this House will be entitled to make to the Provincial Governments, and I have no doubt that the Provincial Governments will treat that recommendation going from this House with that respect which an expression of opinion in this House should deserve.

Sir, having made this position clear, I would like to explain very briefly the reasons that actuated the majority members of the Special Committee to make the recommendation that they have made in this Report. My Honourable friend, Mr. Biswas, very rightly asked us to consider this question from the point of view of the interests of Bengal. He is perfectly entitled to ask us to consider it from that point of view and the House would be perfectly justified in considering the question from the point of view of the Bengal consumer who ultimately will have to bear the burden of this duty. But I would submit to my Honourable friend, Mr. Biswas,



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that he might have asked this House to consider the question not merely from the point of view of the Bengal consumer but also from the point of view of wider national interests. And in this connection, I would submit that fortunately for us the interests of the Bengal consumer and the interests of the nation at large are not conflicting but practically identical. I put my signature to the majority recommendation of the Special Committee because I was convinced that the measure that we proposed was as much in the interest of the Bengal consumer as in the interests of the national industry of India. Sir, public opinion in this country has for years expressed itself very strongly that India must be made self-supporting in the matter of her salt supply. With an extensive sea-coast all around the sub-continent of India, with great natural resources for producing salt in Northern India, it was considered by the public in this country a real tragedy that India should still depend upon foreign supplies for this most essential article of livelihood. From the national point of view it is very essential that India should be made self-supporting in the matter of salt industry. The necessity for this was impressed upon us specially during the war when the poor Bengal consumer was asked to pay fabulous prices for this most elementary and essential article of food. The Taxation Inquiry Committee in 1926 recommended that measures must be taken to make India self-supporting in the matter of salt. As a result of this recommendation of the Taxation Inquiry Committee, the Government of India asked the Central Board of Revenue to examine this question, and they came to the conclusion that the three points that emerged from an inquiry with regard to making India self-sufficient in the matter of salt supply are, firstly, that the question of making India self-sufficient in this matter is merely a question of supplying Bengal with Indian manufactured salt, because the other parts of India consumed salt made in India itself. It is only the Bengal market, and to some extent Assam, Burma and Bihar and Orissa, that take foreign salt.

The second point emphasised by the Central Board of Revenue was that, though in India salt suitable for the Bengal market was manufactured, the cost of transporting this salt to the Bengal market was a very important feature of the whole scheme, and this cost of transportation made it almost impossible to supply Bengal from this source. My Honourable friends should remember that in the matter of their salt the people of Bengal are more meticulous than the people of other provinces. When some time back it was suggested that the people of Bengal must, at least out of patriotism, take to eating Indian salt, my Honourable friend, Mr. Kabeeruddin Ahmed, said that even sentiments of patriotism could not compel them to eat dirty salt.

**Mr. Amar Nath Dutt** (Burdwan Division: Non-Muhammadan Rural): Mr. Kabeeruddin Ahmed does not represent either the best intellect or patriotism of Bengal.

**Mr. R. K. Shanmukham Chetty:** The problem therefore of transporting white crushed salt from Indian sources to the Bengal market was a very serious problem indeed. The third point emphasised by the Central Board of Revenue was that there are considerable limitations to the possible sources of supply of salt to the Bengal market.

After considering the Report of the Central Board of Revenue, the Government of India came to the conclusion that no case had been made out to examine the question further. But, Sir, we on this side of the House took up the matter again last year. One of the non-official Members during the Budget discussion drew the attention of Government to the necessity of referring to the Tariff Board the question of protecting the salt industry, and in response to that suggestion made on this side of the House the Government of India referred the question to the Tariff Board. The Tariff Board, after a very careful inquiry,—in spite of what my Honourable friend, Mr. Biswas, said to the contrary I submit the Tariff Board made a very careful inquiry and submitted a very elaborate report—came to the conclusion that no case had been made out for protecting the Indian salt industry in the sense in which protection is generally demanded for an indigenous industry. But they recommended the establishment of a Marketing Board with a view to stabilise the price of salt in the Bengal market at a certain figure, so that the Indian producer of salt may take advantage of the stabilised price and meet the cut-throat competition of the foreign importer of salt. Sir, we examined the Tariff Board Report in the Special Committee. When the Special Committee met, our attention was drawn to the fact that a serious emergency had arisen in the salt market in Bengal. When the Tariff Board reported, the price of foreign salt *ex-ship* Calcutta was about Rs. 53 per hundred maunds, and the Tariff Board came to the deliberate conclusion that the price which the Indian producer was entitled to expect was about Rs. 66 per hundred maunds; and the Tariff Board therefore came to the conclusion that foreign salt was being dumped on the Bengal market and that as a result of the cut-throat competition the Indian salt works would soon have to close down. When we met, our attention was drawn to the fact that the price of foreign imported salt, which was Rs. 56 per 100 maunds at the time the Tariff Board reported, had come down to Rs. 36 per hundred maunds. We naturally thought that the foreign importers of salt in the Bengal market had determined to have such a cut-throat competition as to crush out of existence the salt works in India and at Aden. We therefore thought that this emergency having arisen, some emergency measures were called for by this Assembly. After very careful consideration, though in the early stages of our deliberations we were deprived of the valuable assistance and advice of my Honourable friend, Mr. Biswas, we came to the conclusion that the only proper course to adopt now would be to impose a differential duty of  $4\frac{1}{2}$  annas per maund on foreign imported salt. Mr. Biswas very rightly asked what justification the Committee had to recommend an import duty when the Tariff Board, which examined this question deliberately overruled it. As I explained in the earlier part of my speech, the Tariff Board came to the conclusion that the Indian salt industry does not require protection in the sense in which protection is generally demanded by indigenous industries. Their reason was this: the total quantity of salt consumed in the Bengal market was about 500,000 tons per annum. Out of this, 180,000 tons came from Aden and the Indian works at Karachi and Okha supplied only about 25,000 tons, the remainder coming from abroad—from the Red Sea ports and abroad. The Tariff Board, after examining the position, came to the conclusion that for protecting 25,000 tons of the Karachi and Okha salt works, it was unreasonable to impose a burden on the Bengal consumer; and they were not sure whether, as a result of the imposition of this duty, the Indian salt works would so expand as to supply within a

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reasonable time at least the major part of the requirements of the Bengal market. Honourable Members must remember that according to the criterion laid down by the Fiscal Commission, a protective duty would be justified only if we could be assured that after some time the Indian industry would develop to such an extent as to supply the greater part of the needs of the country in that direction. With the material that they had before them, the Tariff Board was not in a position to come to the conclusion that Indian salt works could in the near future be made to supply the Bengal market. They therefore recommended that a special committee ought to be set up to inquire into the possible sources of salt supply in Northern India, and in the meantime, having overruled the imposition of an import duty, they recommended the establishment of a Marketing Board to control prices at a particular level. When our Committee met we had the advantage of the Special Committee of inquiry presided over by Sir Chunilal Mehta. The findings of that Committee placed before us information which was not available when the Tariff Board reported. To put it briefly, the finding of Sir Chunilal Mehta's Committee is that, after a reasonable time and after spending a reasonable amount of capital expenditure, the Northern Indian sources of salt supply could be expected to supply the whole of the Bengal market. It has been pointed out to us further that the Railway Administrations had undertaken to transport this salt from Khewra and other Northern Indian sources to the Bengal market at a rate which would be economical for the Bengal consumer. I submit that these two important factors were not present before the Tariff Board when they made their Report. Having come into possession of these two fundamental facts, we came to the conclusion that if only a differential duty were imposed for a definite period, the sources of salt supply not merely at Khewra, Pachbhadra and other places in Northern India, but at Karachi and Okha could be developed to such an extent as would lead us to the inference that, within a reasonable time, Bengal could expect salt from these Indian sources. It was these two new factors, the possibility of sources like Khewra and other Northern Indian sources, and the willingness of the Railway Administrations to transport salt at an economic figure, that enabled the Special Committee to come to the conclusion that a case had been made out to afford temporary protection to the Indian salt industry.

That is my answer to the argument of my Honourable friend, Mr. Biswas, that the Special Committee went out of their way to recommend a measure which was definitely ruled out by the Tariff Board. I mentioned that the problem of making India self-supporting in the matter of salt industry was to find 500,000 tons of suitable salt for the Bengal market. 180,000 tons come from Aden; we therefore require about 320,000 tons to make India self-sufficient, and Sir Chunilal Mehta's Committee, after very careful inquiry, came to the deliberate conclusion that within the next five or six years the Indian sources of salt supply could be expected to produce 370,000 tons of salt, or 50,000 tons more than we require. They went further and said that this quantity might subsequently be increased to 550,000 tons, and ultimately to 635,000 tons. I would ask my Honourable friends just to pause for a moment and think for themselves what these figures mean. Even if Aden were to be separated from India, and even if we were to ignore the sources of supply from Aden, it has now been established that within probably ten years India can produce from the

sources at Karachi, Khewra, Morvi, Okha and Pachbhadra about 635,000 tons of salt suitable to the Bengal market, while the maximum required for Bengal is only about 500,000 tons . . . . .

**Mr. K. Ahmed** (Rajshahi Division: Muhammadan Rural): But, will it be as refined as the Liverpool salt? That is the question—whether it will suit the Bengal taste.

**Mr. R. K. Shanmukham Chetty**: I am sure that the salt produced from Khewra will satisfy the meticulous taste of my Honourable friend . . . .

**Mr. K. Ahmed**: Without seeing the picture, it is no use making a speech.

**Mr. R. K. Shanmukham Chetty**: The justification therefore that I would give for the majority recommendation of the Committee is simply this: that we are convinced—and I am sure that in the face of these figures the House also ought to be convinced—that within a reasonable period, the Indian sources of salt supply can be expected to supply Bengal with all the salt that Bengal requires. In the face of this situation, I would like to ask my Honourable friends to tell me whether it is not justifiable to impose this small burden on the Bengal consumer for a short period.

After all, when the burden on the Bengal consumer is talked of, I would ask my Honourable friends to realise what the extent of that so called burden is. It is not a crushing burden. During the war the Bengal

12 Noon. consumer was entirely at the mercy of the foreign importers of salt and he had to pay as much as Rs. 500 per 100 maunds. Today no doubt the Bengal consumer is getting his salt at Rs. 35 per 100 maunds. It has been mentioned to me that the steamer freight for transporting salt from Red Sea ports to Calcutta comes to nearly Rs. 25 per 100 maunds. Is it contended that the cost of production of salt to the Red Sea manufacturer is only Rs. 10 per 100 maunds and this includes a margin of profit for his production?

**Mr. C. C. Biswas**: According to the Tariff Board, Rs. 8 is the cost of production at Aden.

**Mr. R. K. Shanmukham Chetty**: Sir, any one who takes the trouble of going through the figures of the price of salt in the Bengal market cannot but be convinced that the present figure of Rs. 35 per 100 maunds is purely the result of a cut-throat competition. I mentioned in the early part of my speech that the measure that we have recommended is as much in the interests of the Bengal consumer himself, and my reason for making that statement is this. If this price of Rs. 35 per 100 maunds were to continue for some months to come, the result would be that Aden, Karachi, and Okha would be wiped out, and the Bengal consumer would be entirely at the mercy of the foreign importer of salt, and he would then have to pay God knows what price for his salt. (*An Honourable Member*: "Question.") It is, therefore, in the interests of the Bengal consumer himself that some measure ought to be taken to ensure to the Bengal consumer his salt supply at a reasonable rate. (*An Honourable Member*: "Leave that to the Bengal consumer.") Sir, the present price of salt is Rs. 36 per 100 maunds and our duty will come to about Rs. 28 per 100 maunds, and therefore the price which the Bengal consumer will have to pay for his salt will be about Rs. 64 per 100 maunds. If only the price of salt to the Bengal consumer can be stabilised at this figure, then I maintain that it is in the best interests of the Bengal consumer . . . . .

**Mr. C. C. Biswas:** How do you stabilise it?

**Mr. R. K. Shanmukham Chetty:** My friend asks me how will I stabilise it. It is a very pertinent question to ask, and I will invite my Honourable friend to read the Bill that is before us. Government have taken power under this Bill to purchase from Aden and other Indian salt works all their output of salt at about Rs. 64 per 100 maunds. It is only if the Aden and the Indian salt manufacturers are prepared to supply to Government their salt at this figure of Rs. 64 per 100 maunds that they will enjoy the advantage of getting a rebate of this duty. That is the best and the safest safeguard that we could devise in the interests of the Bengal consumer.

My friend talked glibly the other day of this duty being imposed in the interests of a few manufacturers at Aden and that they would take advantage of this duty and profiteer. But I would ask my friend to consider the significance of this power that the Government are taking. It means this that the Aden producer of salt cannot expect to sell his salt at anything more than Rs. 66 per 100 maunds, because the moment the price goes up Government can intervene and compel the Aden manufacturers to sell the salt at that figure . . . . .

**Mr. C. C. Biswas:** What about retail sales?

**Mr. R. K. Shanmukham Chetty:** I will come to it presently. The Tariff Board have come to the deliberate conclusion that the fair selling price for Indian salt is about Rs. 66 per 100 maunds. You are not, therefore, by the imposition of this duty, creating any position which will enable the Indian or Aden salt works to profiteer. In considering the figures of the cost of production, I would invite Honourable Members to pay some respect to the findings of such a body as the Tariff Board. Sir, the Tariff Board is an expert body. The House is at perfect liberty to examine the conclusions of the Tariff Board and to devise alternative methods to what the Tariff Board have suggested; but in their findings of fact like the cost of production, I submit that the House ought to accept the figures given by the Tariff Board. If you look at the Tariff Board's figures from that point of view, and if you agree that Rs. 66 is a proper price for the Indian manufactured salt, then you have by this Bill provided against profiteering.

Sir, my Honourable friend, Mr. Biswas, said that the Tariff Board put the cost of manufacture of salt at Red Sea ports at Rs. 8 per ton. That interruption of my friend is the best example of the fallacy of quoting one sentence from the Tariff Board Report without explaining what exactly it means. Sir, we are talking of the cost of production in the terms of what the Indian producer can reasonably expect when he brings the salt *ex-ship* at Calcutta, and I say that, according to the Tariff Board, it is Rs. 66 per 100 maunds. This Rs. 8 per ton is the cost of production *ex-works*, and Honourable Members must realise that in the case of a duty like salt, it is the cost of transportation that is the important item and not the item relating to cost *ex-works*; and for my friend to say that Rs. 8 per ton was the cost of production to the Aden manufacturer is, to say the least, misleading the House. I therefore submit, Sir, that since power has been taken by Government to compel the Aden and Indian works to sell salt at a particular figure, we have removed the only possible objection, that is the possibility of the Indian manufacturer profiteering at the expense of the Bengal consumer.

My friend very pertinently asked me what about retail prices? Sir, if you examine the question of retail prices, you will find that the poor consumer, for whom we are always shedding tears in this House, does not really get the benefit of a fall in prices to the extent to which he is entitled. I have been told that, in spite of serious fluctuations in the prices of salt in the Calcutta market, the consumer in Bengal in the interior is often made to pay a price very disproportionate to the wholesale price of sale in the Calcutta market. If, therefore, the consumer is really to be benefited, we ought to devise some measures that will take the benefit of a fall in price directly to the door of the consumer. It is when we examine the question of the Marketing Board from this point of view, that I am of opinion that the Tariff Board have recommended a scheme which, if worked out properly, will ultimately prove to the benefit of the consumer. Sir, there is no use of merely establishing a Marketing Board at Calcutta to control wholesale prices. If your Marketing Board and its activities are really to be effective, you must devise some measure by which through the Marketing Board, the consumer will get the benefit of any considerable fall in prices. I would therefore invite my Honourable friend, the Finance Member, not to sleep over the question after getting this Bill passed, but to examine the possibility of establishing a Marketing Board not merely to stabilise retail prices but also to ensure to the consumer in the interior some benefit of fall in prices. If only that can be done, then we would have served the consumers' interest in a much better way than in any other fashion.

I think I have argued sufficiently to convince at least my Honourable friends who have no preconceived notions on this matter, that the measure that we have proposed, far from penalising the Bengal consumer, is ultimately in the best interests of the Bengal consumer by stabilising the prices of salt for him at a reasonable rate. We are further convinced that, apart from benefiting the Bengal consumer in this direct manner, it will serve the interests of India as a whole. Even my Honourable friend, Mr. Biswas, must realise that we must sooner or later take measures to make India self-supporting in the matter of salt, and I contend that the measure we have proposed is the best that could be devised under the circumstances. I would therefore invite this House to accept the Bill as it is.

**Mr. R. S. Sarma** (Nominated Non-Official): A distinguished member of the community of Chetties, so well noted for native shrewdness and cleverness, my Honourable friend Mr. Shanmukham Chetty has managed to play his cards this morning very dexterously. Having taken up an impossible attitude during the passage of the Finance Bill, having done his best to thwart the safe passage of the Finance Bill and having with reference to the European non-official Members used words and expressions which might almost be called unparliamentary, he has managed by his last speech probably of this Session to pay a tribute to the Honourable the Finance Member and to stand up in defence of the Treasury Bench over this matter, so that he can go tonight to Madras with the consolation that he has been able to retain by his speech his title as the prize boy of Sir George Rainy and Sir George Schuster. (Laughter.)

**Mr. B. Das** (Orissa Division: Non-Muhammadan): Your remarks are atrocious.

**Mr. President:** I hope the Honourable Member does not wish to impute any motives to the Honourable Member, Mr. Chetty.

**Mr. R. S. Sarma:** I do not wish to imply any motives of personal interest, but for public interest (Laughter), or rather private interest in public matters, if you, Mr. President, will allow me to modify it. I find myself in an exactly different position today. After having supported Government in all matters (Laughter), because, Sir, as a nominated Member I honestly feel that it is hateful to do or say anything which may embarrass Government, I feel in this matter that there is such a thing as being true to one's salt, and having eaten profusely the salt of Bengal, I think that I shall be entirely false to the salt that I have eaten if I do not raise my voice of protest against this most iniquitous impost. I myself did not understand why my Honourable friend, Mr. Biswas, when he stated the case for Bengal with that wealth of eloquence, extracts and endurance, should have gone into so much length by trying to meet the arguments of the Majority Committee. The position so far as people from Bengal, whether nominated or elected, are concerned, is that Bengal to a man does not want this. That is quite enough.

**Mr. B. Das:** Mr. S. C. Mitra signed the Majority Report.

**Mr. R. S. Sarma:** I think that Mr. Mitra will surely get up and explain his position, and then the House will be surprised at what it will hear from him. I say that every Member from Bengal, whether he is elected or nominated, if he is honestly consulted, will declare that he is not in a position to go into the lobby with the Government on this matter. I make this statement very deliberately. The Government of India must by now have been fully acquainted with the opinion of Bengal, not only of the people of Bengal but of the Government of Bengal. The unanimity with which a motion against this Bill was passed in the Bengal Legislative Council must have been an eye-opener to Sir George Schuster. Every speaker, Hindu or Muhammadan, European or non-official,—everybody said in no unmistakable terms that he did not want this at this moment, and though the terms of the Resolution moved in the Bengal Council were such that the Government of Bengal could not possibly accept it and therefore remained neutral, they made perfectly clear what they thought about this business. Therefore, it is enough for me to say that Bengal does not want it, and when the Honourable the Deputy President of this House says that this Bill—I have listened to many humours, I have been a witness to many comic humours in this House, but nothing was more humorous than that the Deputy President of the Assembly should get up and say that this is in the best interests of Bengal, and we shall simply tell him God save us from our friends in this matter! The Tariff Board—I do not know if my Honourable friend Mr. Chetty was a member of it, what would have been the nature of its Report—but as it was constituted, the Tariff Board has, after a very close and scientific examination of the thing, said that it was impossible even to recommend a two annas under the existing conditions. And a body of men, sitting I think only for ninety minutes in all, have decided that it is quite ready to impose Rs. 45 lakhs on the people of Bengal. We ourselves

cannot understand why in the name of protection, whether it is the protection of the cotton industry or the protection of salt, the Bengal taxpayer in every case should be asked to pay. Whenever any industry is in a difficult economic position, either because of its inefficient administration or because of gross mismanagement, or because of economic distress or other causes, they try to find money for that industry by imposing fresh burdens on the broad shoulders of Bengal. Ever since the Fiscal Commission, over which you presided with so much distinction, found out that the panacea of all economic ills lay in discriminating protection, it is always the taxpayer, especially the taxpayer of Bengal—in more instances than one, who is asked to help the lame industrial dog over the stile. I warn the House to remember that it will be the people of Bengal who will have to foot the Bill, and to flout the unanimous opinion of Bengal in this matter will be not only a blunder but a crime with serious consequences. Therefore, I appeal even to the nominated Members from Bengal to go to the lobby with us, and to the officials I make an ardent appeal, in view of the stand taken by the Government of Bengal, either to remain neutral or to vote with us, in order to show that even the officials are truly representing the wishes of the people of Bengal in this matter. I appeal even to my Honourable friend, Mr. Satva Charan Mukherjee, M.B.E. (*Honourable Members*: “He is C. B. E.”) very well, C. B. E., to forget for one day that he is not Mr. Boag’s henchman, but the illustrious grandson of Rai Peary Mohun Mukherjee, a name honoured throughout the length and breadth of Bengal.

(At this stage the Honourable Sir George Schuster rose in his place.)

**Mr. President:** The Honourable Member can rise at this stage to make a personal explanation and a personal explanation only.

**Mr. R. S. Sarma:** I shall at once put my Honourable friend, Sir George Schuster, at ease by saying that I never meant anything at all by what I said except that Mr. Mukherjee was a Deputy Whip.

**The Honourable Sir George Schuster:** I did not know that my Honourable friend had stopped his speech. I intended to intervene in the middle of his speech. I do not know whether my Honourable friend has finished his speech.

**Mr. President:** Has the Honourable Member concluded his speech?

**Mr. R. S. Sarma:** I only wanted to say one word that every Bengal Member, whether it be Mr. Mukherjee, or Mr. Das, or Mr. Neogy . . .

**Mr. B. Das:** I am not a Bengali.

**Mr. R. S. Sarma:** Your name is a Bengali name.

**Mr. B. Das:** But I am not a Bengali; I am an Oriya.

**Mr. R. S. Sarma:** Whoever represents Bengal will have to consider ten times before he goes against the popular wishes in this matter, because I know that the betrayal of Bengal’s cherished interests will not be forgotten when he goes back.



**The Honourable Sir George Schuster:** The point that I wish to explain arises out of my Honourable friend's appeal to nominated Members either not to vote, or to vote against the Government on this matter. I wish to explain that Government have very carefully considered what their attitude in relation to this Bill ought to be as regards the official Members. I made it clear on several occasions in this House that our attitude on the whole question has been one of attempting to be responsive to the majority opinion in this House. I signed the Report as Chairman very largely because it was the opinion of the majority, though also of course, as I shall explain later, because I personally agreed with it. We were trying to find out what was the opinion of the House. Now, as regards the attitude of Government in voting on this matter, I am sure Honourable Members will appreciate that we have been put into some difficulty owing to the attitude of the Bengal Government, and we have decided that the members of Government who sit on this Front Bench will vote for the Bill but that the official nominated Members will not vote on the Bill at all. As regards unofficial nominated Members, they are entirely free to vote as they like, as indeed they always are; but I wish to make clear that what is commonly known as the official bloc as such will not vote on this Bill. Only the actual Members of the Government will support it. That, Sir, answers a good deal of what has fallen from my Honourable friend, and I thought it right that I should make that position clear at this stage.

**Mr. R. S. Sarma:** May I say one word of explanation?

**Mr. President:** Order, order. Mr. Neogy.

**Mr. K. C. Neogy** (Dacca Division: Non-Muhammadan Rural): I am not in the habit of regulating my course of conduct in this House according to the dictation of my Honourable friend, Mr. Sarma; and indeed the only embarrassment, to which I confess in rising in my seat to speak on this motion, supporting my Honourable friend Mr. Biswas's amendment, is due to the gushing eloquence with which my Honourable friend, Mr. Sarma, supported it. During the period that I have been in this House, I have always approached such questions with a good deal of sympathy, because—I am not ashamed to make a confession of my economic faith—I am a protectionist as much as I think my Honourable friend, Mr. Sarma, is a free trader. (Laughter.) I am not going to imitate my Honourable friend in taking recourse to cheap parochial cries which he has used in supporting this motion. I feel that if Bengal cannot take advantage of the policy of protection which this House has been laying down in connection with various different industries, she cannot very well expect the rest of India to wait till she can come up to the standard. And if it comes to a question of exploitation, I declare it here and now that I would far more readily agree to be exploited by my own countrymen than by foreigners. This has been my economic creed during the period that I have been a Member of this House, and this is going to continue to be my creed so long as I occupy a seat in this House; and if this view of mine does not commend itself to my countrymen I would not hesitate to make room for Mr. Sarma if he happens to get the confidence of my constituency.

Sir, I would now come to the merits of the question. As I said, I am very unwilling to take recourse to parochial cries, but it so happens that the question of making India self-supporting in the matter of salt supplies is a question of supplying Bengal with Indian made salt. I have therefore to refer to the question of Bengal's needs and the opinion that prevails in Bengal on this question. Sir, we had a very flourishing salt industry in Bengal down to the year 1781; and I want to relate the story of the destruction of the salt industry in Bengal for the special benefit of my Honourable friend Mr. George Morgan (*Mr. George Morgan*: "I know it.") and his colleagues who are so clamorous about securing guarantees for their trading rights under the new constitution. It was not till 1781 that the East India Company thought of interfering with the salt industry of Bengal. It was in this year that Lord Clive came out to India for a second time and he found that corruption was prevailing to a considerable extent among the officials of the Company, and he came to the decision that in order to stop this corruption some sop must be given to the officials. Those were days when the more scientific contrivances of Lee Commissions were unknown, and he hit upon the idea of taking over the salt industry of Bengal and working it as a State monopoly for the exclusive benefit of the officials of the East India Company. His intention was to give them additional allowances out of the profits of this industry so as to keep them from corruption. Then followed a melancholy chapter into whose details I do not want at the present moment to enter. I had on one previous occasion to deal with the history at some length; but suffice it to say that when the Government found it difficult to carry on the manufacture of salt under a system of monopoly, they hit upon the idea of deriving the revenue that they wanted from the imported salt instead of relying on the indigenous salt sources. Meanwhile the merchants of Cheshire were exercising their political influence both in England and in India, and they pointed out that in the interest of Bengal—the same cry that is going to be raised by Mr. Morgan—a cleaner kind of salt ought to be made available to them, and if the Government really were keen on getting revenues out of this source, so long as they could get revenue out of the imports of Cheshire salt, there was no reason why they should continue this indigenous manufacture in the country. The East India Company readily fell in with this view and the result was that in the course of a few years the manufacture of salt was prohibited by statute in Bengal.

Now, Sir, we are talking about making Bengal self-supporting in the matter of salt supply, and there is a regular competition among the various ports of India as to how to capture the salt supply of Bengal; but what about reviving the salt industry in Bengal itself? When I say Bengal I mean the entire sea-board stretching between the coast of Burma and the coast of Madras. The Tariff Board, in their Report, devote about four lines to this particular question. They say, "Yes, it is just possible that Bengal might be in a position to produce her own supplies, but we have not the necessary information to go into this question at all". That is my grievance. Why is it that the Government have not seriously taken up this question of making an investigation? And why is it that it is necessary to wait in this matter till Bengal agrees to tax herself to the tune of several lakhs of rupees? Sir, my Honourable friend, Sir George Schuster, is a Member of a Government which is the lineal descendant of the East India Company in the domain of administration, and my

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Honourable friend, Mr. Morgan, is a successor of the East India Company in the domain of trade. (Laughter.) It is up to both these gentlemen to revive the industry which their predecessors had found it to their profit to extinguish (Laughter). From this point of view, Sir, I am not prepared to support any plea for the imposition of additional taxation. (Applause.) This is a case in which protection should be given to the Bengal industry out of a bounty, and that bounty should come out of the pocket of the Honourable Sir George Schuster; if not, then certainly out of the pocket of my Honourable friend, Mr. George Morgan. . . .

**Mr. G. Morgan** (Bengal: European): I agree.

**Mr. K. C. Neogy**: I am very glad my Honourable friend agrees; and if my Honourable friend, Sir George Schuster, finds any difficulty in getting the necessary funds, I hope he will consider the generous suggestion of Mr. Morgan and impose a capital levy on Clive Street.

**Mr. G. Morgan**: I thought, Sir, this was only a personal matter, when my Honourable friend mentioned me. I said "I agree", and I would be glad to pay; of course provided I could find the money. . . .

**Mr. K. C. Neogy**: My Honourable friend forgets that so long as he is here and when he takes part in the discussions of this House, he has no personal capacity of his own but that he speaks in the name of his constituency and the interests that he represents.

**Mr. R. S. Sarma**: Sir, on a point of personal explanation, the Honourable Member said he was not going to imitate me, but he is over-doing it already. (Laughter.)

**Mr. K. C. Neogy**: I understand my Honourable friend has a soft corner in his heart for Clive Street, and I am very sorry I touched him exactly on that point. (Laughter.) Now, Sir, what is the proposal of the Special Committee? Here I must say that I entirely dissociate myself from the remarks that were made by my Honourable friend, Mr. Sarma, with regard to my Honourable friend, Mr. Chetty's remarks. We may have our differences, but certainly no one can question the motives with which my friend, Mr. Chetty, and my other Honourable friends approached this question in the Special Committee (Hear, hear); and I am certainly not going to imitate my Honourable friend, Mr. Sarma, while I offer criticisms on the Report of this Special Committee. Sir, the Honourable Sir George Schuster gave us an assurance that he is not going to appropriate any part of the proceeds of the special taxation for the benefit of the general exchequer. Now, Sir, looking at the recommendations of the Special Committee, what do I find? The very first item is the development of the Northern India salt sources in the manner recommended by the Salt Survey Committee. If I am not very much mistaken, this is a Department which is run by the Honourable Member's own Department, and this is considered to be a Commercial Department of the Government; and if the question of the increased output of salt is a commercial proposition, which I daresay my Honourable friend's own position would be, then is he not taking away a portion of the proceeds of this special taxation for the benefit of one of his own commercial Departments?

**The Honourable Sir George Schuster:** The general policy of Government is, as regards the sources of production which the Northern India Salt Revenue Department controls, to sell the salt at a price which represents the cost of production and not to make a profit out of it. Government derive a revenue of course from the excise or the import duty on salt, but as regards making a profit, although the sources are worked as a commercial undertaking, that has never been our policy. Therefore, I suggest my Honourable friend's implication is really incorrect. We shall get the duty, but we should get that duty whether salt comes from Aden or Port Said or anywhere else. We shall not gain as regards revenue by developing these sources of production. That is my point.

**Mr. K. C. Neogy:** I entirely accept the position described by my Honourable friend, but I take it that the Government are not prepared to undertake the responsibility of increasing the output of salt unless they have an additional amount provided out of the proceeds of this special taxation. I take it that the Government do not intend to make any profit, but certainly that is no reason why the Government, in the public interest, should not come forward and develop their own salt sources.

**The Honourable Sir George Schuster:** My Honourable friend seems to have missed the whole point of the scheme. We cannot develop these sources of supply for the Bengal markets without losing a great deal of money unless prices can be stabilised at somewhere about the level which the Tariff Board has recommended as a fair selling price for salt. If we can rely on prices of about Rs. 66 per 100 maunds in Calcutta, then only can we afford to develop the Khewra or the Pachbadra works so as to supply the Calcutta market. Otherwise we should be losing a great deal of money and we cannot afford the loss. . . .

**Mr. K. C. Neogy:** I do not see how that improves my Honourable friend's position. The question of stabilisation is an independent issue, and that question has not been pronounced upon by the Special Committee definitely yet because that depends upon the setting up of a Marketing Board. Now supposing there is a Marketing Board, do I take it that the Honourable Member would in that event still appropriate a portion of the proceeds of this special taxation. . . .

**The Honourable Sir George Schuster:** As soon as stabilisation is assured.

**Mr. K. C. Neogy:** Then do I take it that the Government undertake to develop the sources of the Northern India Salt Revenue Department at their own expense when stabilization is secured?

**The Honourable Sir George Schuster:** I think my Honourable friend has really, if I may say so, completely misunderstood the position. The position is this. As I said before, if we can rely on prices of about Rs. 66 per 100 maunds in Calcutta, then we should be in a position to develop these inland sources of supply for supplying the Bengal market. Otherwise we cannot do that. Well, we can get to the position of relying on that price, in two different ways. We can do it by adopting the sort of scheme which the Salt Committee of the Assembly has recommended—that will ensure us at least a price of about Rs. 66 in Calcutta—or we can get to it by introducing the sort of scheme that the Tariff Board has

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recommended, which would mean the Government or a Marketing Board taking over completely the control of the import of salt into Calcutta. We in the Committee have recommended this scheme because it is a simple scheme which can be applied at once and which will work simply with an inevitable and direct effect. As soon as we know that this scheme is adopted, then we shall have something to go upon to justify us in developing the Northern India sources of production, but without the scheme, we cannot move at all.

**Mr. K. C. Neogy:** I do not understand what my Honourable friend means by discussing the question of stabilization now because that is a different thing altogether.

**The Honourable Sir George Schuster:** But the result is the same. The result of stabilization is to ensure a price of Rs. 66 in Calcutta. This scheme recommended by the Salt Committee would also produce a price of Rs. 66 in Calcutta. Whether it is achieved by stabilising, by the Marketing Board, or by the imposition of a duty, the result is what we depend upon, and that is the power to sell salt in Calcutta at Rs. 66 per 100 maunds.

**Mr. President:** Order, order. The Chair cannot allow these constant interruptions and interchange of views. The time is getting on, and the debate must proceed on its normal course. If there is a special occasion when the Honourable Member in charge wishes to offer any explanation, the Chair will permit him to do so, but this constant interchange of questions and answers cannot be allowed. (Hear, hear.) The Chair has to see that the debate proceeds on right lines and the Honourable Member in charge will have ample opportunity to give all explanations in his reply.

**Mr. K. C. Neogy:** Sir, what I ask is that having regard to the fact that the question of stabilization is very nebulous just now and that it has not yet taken shape, why is it that the Honourable gentleman wants to appropriate a few lakhs out of the proceeds of this special taxation for the purpose of developing the salt sources if that depends on the stabilisation itself? However, I am not going to pursue this point any further, but I would just inquire as to whether the railways have definitely made any declaration with regard to reduction in the freight, because when the Tariff Board made their investigation they said that it was not enough that the Northern India Salt sources should be developed for the purpose of enabling them to supply the Bengal market, but as it was largely a question of railway freight, railways must reduce their freight to a reasonable extent. I have not seen any statement hitherto made in this House which has the effect of carrying out this recommendation of the Tariff Board on behalf of the Government.

As I have stated, my objection is to the proposal to spend any portion of the proceeds of this special taxation for the development of Government's own commercial Department. Sir, I happen to know something about the working of this Department in my capacity as a Member of this House and also as a member of the Public Accounts Committee and I had on past occasions to discuss the management of this

Department. I am free to confess that I have no great faith in the capacity of this Department for development. As a matter of fact, having been a Member of the first Legislative Assembly that sat in 1921, I remember that it was on exactly this pretext that lakhs of rupees were obtained from this House, I mean the predecessor of this House, by the then Honourable Member in charge of this Department. It was stated that if we agreed to spend a few lakhs on the development of these salt sources of Government, the price of salt would be brought down, and that there would be such a large output of salt that the whole country would be flooded with it. Nothing like it has happened. On the other hand, the direct result has been the raising of the price of salt produced in these salt sources. And, furthermore, I have failed to find out any appreciable increase in the output. When this fact was pointed out by me and by other Honourable Members, the Member in charge of the Department turned round and said: "No, what we intended was to stabilise the output; it was never our contemplation to increase the output". And when I confronted the Honourable Member in charge with statements made by responsible Members of Government in the Legislative Assembly itself on the strength of which these lakhs were sanctioned by us, he said, that he did not hold himself responsible for the things that were said before. That is the way the Government took shelter. Sir, I am not, in the light of these facts, entirely satisfied with the Report of Sir Chumilal Mehta's Committee with regard to the capacity of this Department to expand its salt supply, and therefore I am not prepared to allow any portion of this tax, if it is at all to be levied, to be diverted for that purpose.

Sir, the only other point that remains for me to mention is the opposition in Bengal. It is an undoubted fact that opinion in Bengal is absolutely opposed to this measure. It has already been mentioned that the Bengal Legislative Council has unanimously adopted a Resolution condemning this Bill. The lead in this matter was taken by an Indian commercial association, the Bengal National Chamber of Commerce, and the different Chambers of Commerce in different parts of the country have endorsed their opposition. And just when I was coming to the Chamber this morning, I received a representation from an Indian Merchants' Association in Chittagong, which points out, among other things, that the introduction of this Bill itself has already raised the price of salt. Having regard to the acute economic distress now prevailing in all parts of the country, and particularly in Bengal, this additional impost will be felt very heavily indeed by the consumer. I am not unaware of the fact that the price at which salt is being sold—I mean the wholesale price—is abnormally low, and I do not know how long this state of things is going to continue. But what I say is that, having regard to the acute distress of the people, let them enjoy a little benefit of the low price of salt. My Honourable friend's financial proposals in connection with the Budget had the effect of raising the price of kerosene to a certain extent. They will also have the effect of raising the price of cloth, because as far as I know the price of the imported stuff determines to a very large extent the price of Indian manufactured cloth. My Honourable friend, while bringing forward his financial proposals, takes up each item separately and says: "Look at the infinitesimal burden that we are going to place on the consumer". The same he did with kerosene and said that the extra burden was quite negligible. But I want my Honourable friend to realise the

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cumulative effect of the enhanced taxation of all these various items which relate to the necessaries of life of the poorest of the poor.

Sir, my Honourable friend raises a very large amount of tax from a commodity which he and his predecessors have described as the monopoly of Bengal. He expects to raise a revenue of 360 lakhs, if I am not mistaken, during the next year as customs duty on the export of jute. But I do not know whether he has taken any care to inquire into the present economic distress of the people who are really enabling my Honourable friend to get this nest-egg for the next year. Although jute is described as a monopoly of Bengal, the grower who is entitled to the advantages of monopoly is hardly able to recover the bare cost of production, and yet my Honourable friend is budgeting for a revenue of 360 lakhs. Now, Sir, it is up to my Honourable friend to help the cultivators of Bengal, because it is these half-starved cultivators who grow jute exclusively for his benefit because they do not make a profit out of it. They have not been making a profit out of it for some time. Is it not up to my Honourable friend to come to the rescue of the poor ryot in Bengal? And that is why I suggest that if protection is given at all, it should be by way of a bounty; and I maintain that the line of investigation should be as to how far the salt industry of Bengal may be revived. If my Honourable friend were to make a sincere and honest attempt to revive the salt industry of Bengal, I am sure he would find that he need not go as far as Aden for the purpose of enabling India to be self-sufficient in her supply of salt. The other day I had the good fortune of coming across a very prominent member of the Bengal Congress organisation who was actively engaged in the civil disobedience movement and had considerable experience of the manufacture of salt in Bengal as a part of that movement, and he told me that the facts that the Congress in Bengal had obtained during the course of the manufacture of salt as a part of the movement had really surprised the Congress leaders. The Congress in Bengal is at the moment engaged in collecting information, statistical and otherwise, with regard to salt manufacture that was carried on under the civil disobedience movement. I was assured by the gentleman I have referred to that there was a great deal of scope for the development of salt manufacture, at least as a cottage industry on a very large scale, on the coasts of Bengal. He is a reputed chemist and analyst and told me that he had examined the salt that was manufactured during the civil disobedience movement, and he was perfectly satisfied with the quality both from the point of view of bacteriological and chemical tests. But he was very emphatic in his opposition to the Bill, not that he did not want any protection. He said, "This is not the time. If you want to impose heavy taxation in the national interests, do it some other time". That was what he told me. Meanwhile, he said, the details, which he was engaged in obtaining, might form very valuable data for any further enquiry that the Government might undertake. For all these reasons, I support the motion moved by my Honourable friend Mr. Biswas.

**Mr. G. Morgan:** Sir, previous speakers have covered almost the entire ground in connection with the subject matter of this debate and I am sure Honourable Members would not like me to go over all the sections of the Tariff Board's Report and all the sections of Sir Chunilal Mehta's Report, because I do not think I can do it under a two days speech. I will.

therefore, confine myself to just a few points. I am speaking in favour of the amendment for circulation. I oppose the Bill absolutely and utterly. The Honourable the Finance Member said a short time ago that all taxation was immoral. I think I am right in saying that he did say so. As regards all taxation being immoral, I do not agree with that view at all. I think some taxation is quite beneficial and not immoral. But I do think that legislation for a taxation of this kind is immoral.

Now, let us take the Bill. In the Preamble of the Bill it says:

"Whereas it is expedient in the interests of the Indian salt industry to impose a temporary additional duty of customs on the import of foreign salt and at the same time to make provision for safeguarding the interests of consumers of salt."

Now, Sir, with regard to the first part, there are certain interests which stand to gain by this and other interests which are not affected at all. The only interest, in a Bill of this description, which stands to gain is Aden. Karachi and Okha will not come into the picture at all in this Bill. With regard to the Government salt works at Khewra and Pachbadra, I will only quote, if I may do so, to the Honourable House, what the Salt Conference said about those places. This one remark is very short and very pointed. As regards Khewra, they say:

"We now take this opportunity of commenting on the Tariff Board proposals regarding the Khewra salt, particularly as it raises issues of a very far-reaching nature affecting the prospects of our interests."

Aden is supposed to be part of India and with regard to that, this is what they say:

"So far as Aden and the purely Indian salt works are concerned, their interests are not identical at the moment and not likely to be so in the future."

I leave it to Honourable Members to draw their own conclusions.—I hold that Aden under this Bill will get practically a monopoly, not quite a monopoly, but any how it will secure a very great advantage for every maund of salt that it can export to any other part of India. With regard to the interests of the consumer under this Bill, at the moment, the position is this. Since 10th March, so far as my information goes, the price of salt has risen from Rs. 36 to Rs. 62 or Rs. 63 and in some cases, the salt has not been sold at all since the 10th March pending the result of this Bill in this House. On 20th March last year, the Honourable the Finance Member made this remark in dealing with, I presume, the salt excise duty. All my Honourable friends on that side of the House are at one that there should be no excise duty on salt and that salt should be as cheap as possible to everybody in the whole of India. These are the words of the Honourable the Finance Member:

"After all, what we are out to do is to get into the hands of the people who actually purchase salt a good quality of salt at the cheapest possible price." (Hear, hear.)

Not stabilised price or combine price, but the cheapest possible price. We have all got, everybody has got sympathy with the consumer, but it is very difficult to see where the sympathy is expressed in practice. This additional duty will cost—the figures have been given time over time—including Burma and Bengal, it will cost something like 35 to 40 lakhs. My Honourable friend Mr. Chetty gave us an excellent speech on the



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merits of the Report and on the Bill. With regard to the money coming back to Bengal, Assam, Bihar and Orissa and Purma, I put it to the House in this way. You are asked to pay at once Rs. 28 per hundred maunds more and you are told that, "After certain deductions, you may get something. You cannot get cheap salt because, we have not yet got a formula, but when we have got a formula and provided this Honourable House passes a Resolution we will give you back something". But what is this something? Who is going to get it? Who is going to spend it? All these things nobody knows. "We will give you back something; don't be afraid", this is what the Government say. Meantime I have paid Rs. 28 more and if I die before the Resolution is passed, what benefit do I get?

**Sir Hari Singh Gour** (Central Provinces Hindi Divisions: Non-Muhammadian): Your heirs will get it.

**Maulvi Muhammad Yakub** (Rohilkund and Kumaon Divisions: Muhammadian Rural): Why not get it in the other world?

**Mr. G. Morgan:** I will make my Honourable friends heir to it. There is one other point which I want to touch upon. I will not weary the House with figures, but there is one other point which seems to me to require attention called to it. There has been a great deal said about the price of salt, about the terrible rates which Bengal had to pay at certain times and the awful sins of a combine. It is a curious thing that the people who are most vocal now were members of that combine. There were two Aden concerns in that combine and the prices between the years 1925 and 1929 were roughly from Rs. 62 and Rs. 72, going up to Rs. 118 and so on, and back again to Rs. 66 and Rs. 65. None of our purely Indian concerns are quoted; they are not quoted in the list of prices, but two Aden concerns are quoted and presumably they were hard-hearted enough to make money out of those high prices and put something into their own pockets during that time. Now, Sir, when the price has gone down, they say they are going to be crushed out of existence by somebody or other, and so we are now asked to get Bengal to come to its aid and pay for the difference between the cost of production and the price at which the other concerns are ready to sell in the Bengal market. I think that is a bad position. I will not go over the arguments about the Tariff Board sections regarding the duty, but I would like to point out that Karachi and Okha stand to lose a great deal by this Bill. A number of protests have been received from various bodies such as the Bengal Legislative Council, the Bengal Government (and my Honourable friend Mr. Das will be interested in this), the Bihar and Orissa Government, the Assam Government, the Pungal Salt Sellers Association, the Bengal National Chamber of Commerce, two important bodies of Burma, the Salt Merchants Association of Calcutta, who sent a special protest to the Government of India and the Viceroy. It is a curious thing that in one protest, which has been sent, one firm has signed itself *per pro* for the Luxmi Salt Works of Karachi against the import duty. I will leave Honourable Members to draw their own conclusions from that.

Sir, I do not wish to weary the House but I would like to point out. . .

**Mr. Jehangir K. Munshi** (Burma: Non-European): Sir, I do not wish to interrupt my Honourable friend, but we the Members from I.F.M. Burma have received no representation whatever from any association or person in Burma. Will my Honourable friend state to the House from whom he got these representations?

**Mr. G. Morgan:** I have not got the names here, but I will show them later to my Honourable friend.

With regard to the protests sent up from Bengal, my Honourable friend Mr. Biswas made some remarks. But I will go further than that. It is not only a question of civil disobedience. It is a question of inter-provincial feeling, and at the present moment we are all busily engaged in trying to get a feeling of unity and co-operation throughout India. Everybody is talking about Federation. When people are trying now to make every province feel that its destinies would be safe in the hands of a Federal Assembly when it is appointed, is it logical to expect that feeling to be there in the face of a Bill of this description? I doubt it.

In conclusion, I will only say that all my friends on that side of the House know what the position is with regard to salt. They know that salt should be as cheap as possible. It is their creed. It has been hammered out from every platform in the country. They have signed, sealed and delivered their protest against all increase in the price, and I ask them how they can reconcile voting in favour of this Bill with their established creed of cheap salt.

**Diwan Bahadur T. Rangachariar** (South Arcot *cum* Chingleput: Non-Muhammadian Rural): Sir, I had no intention of intervening in this debate, but the course of the debate has been an eye-opener to me. We Indians are protectionists not by instinct but by sheer necessity, and Bengal was in the vanguard of these movements for protecting national industries. To see my Honourable friend Mr. Neogy with all his eloquence arguing for the other side and finally concluding that he is going to the same lobby along with Mr. Morgan and along with Mr. Sarma, is truly a case of the lion and lamb trying to sleep together, the lion in the meanwhile trying to fly at the throats of Mr. Morgan and Mr. Sarma. I take Mr. Neogy as the lion and Mr. Morgan and Mr. Sarma as the lambs. What is it that can have induced my Honourable friend Mr. Neogy to have ended his excellent speech, which has been delivered along with Mr. Chetty's speech, to finally conclude by saying that he is going into the lobby with Mr. Morgan? Sir, I think there is something behind all this. Some people are genuinely afraid of this thin end of the wedge as regards the salt industry. The Government have been pressed on this side, I remember from the year 1921 onwards, to take some steps to protect the salt industry and revive the salt industry in this country. They have been sleeping over it, lumbering over it, hesitating over it, halting over it, committeeing over it. They have appointed committee after committee. They have come forward with a modest measure and unfortunately it so happens that nationalist Bengal is opposing it. But could not nationalist Bengal bear this pin-prick for a time? It is nothing but a prick. Her conscience must be roused; she has been agitating for Swadeshi all along; and I think if I learnt anything at all about politics, I learnt it from Bengal, having listened to the oratory of my friends, the late Sir Surendra Nath Banerjee, Ananda Mohan Bose and

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Lal Mohan Ghose. Where are the descendants of those gentlemen now? They are now ranged on the side of Mr. Morgan, his ancestors and successors and I do not know what else! This is simply a surprising spectacle for us. Here is a national industry which, according to my friend Mr. Neogy, had been crushed, destroyed and killed beyond recognition by Mr. Morgan's ancestors and by my Honourable friend Sir George Schuster's ancestors. Now Sir George Schuster at any rate is trying to make amends for his past sins. But Mr. Morgan is not prepared to do that. The Government of India are responsive to public opinion and they have now come forward with a proposal which appeals to my heart. I wish I were in Bengal so that I could say honestly that I would bear this prick for a time.

**Mr. C. C. Biswas:** Apply the true remedy.

**Diwan Bahadur T. Rangachariar:** We do not know what the true remedies are. Let us try this remedy and see what it is like. After all it is a temporary measure. If my Honourable friend will reflect over it, he will find that there is no need to cry so much over this small pin-prick which is being inflicted.

**Mr. C. C. Biswas:** It is a quack remedy.

**Diwan Bahadur T. Rangachariar:** It may be a quack remedy, but let us try it. How do we know that it is a quack remedy? Let us try and find out whether it is a quack remedy or not. There are others foreshadowed in the Tariff Board's Report; there are others foreshadowed in the Special Committee's Report, and here is a temporary measure which is urgently needed. Does any Honourable Member reflect over the figures of the selling prices of salt? In Bombay near the seat of production the price is about Rs. 60—I am told it is Rs. 62-8. In Madras where we produce salt, thanks to the policy pursued by the Government there, the price is about Rs. 50 or 55. How is it that the friends of Mr. Morgan there across the Red Sea or in the Red Sea are able to dump salt at Rs. 35 today? Could it be a *bona fide* sale price? I say it is not, certainly not. It cannot be an honest price which they are now giving to the Bengal consumer. They are trying to deceive them. Friends like Mr. Biswas are taken in by this temporary lull in prices which is produced by a wilful act on the part of producers elsewhere. My Honourable friend complained that the salt industry in Bengal had been killed. Sir, if you will allow this policy to continue, not only in Bengal will the salt industry be killed by this cut-throat competition, but the industry in the whole of India will be killed. Does my Honourable friend want to see that spectacle? Is he not part of national India? Does he want national India to be crushed by this cut-throat competition on the part of these people who bring salt from abroad? Let him reflect upon that aspect of the question. Let him not attach too much importance to his own personal or provincial injuries. Let him bear this pin-prick for a time. I will be thankful—we will all be thankful to Bengal; in fact the whole country will rise in gratitude to the people of Bengal if they will bear this temporary burden. And what is the burden? The burden is very little and the bulk of it goes back as benefit to Bengal. My Honourable friend, Mr. Neogy, cries

that the industry in Bengal has been crushed and he wants it to be revived. Why not devote the whole of these 28 or 30 lakhs—I suppose Bengal will get about 20 lakhs at least—and earmark it by our Resolution for reviving the salt industry in Bengal itself? Will not my Honourable friend be content with that assurance if it can be given? I think we can send a recommendation to the Bengal Government to do that. It is a small beginning. Let us all vote for it. Let us see how it works, and in the meanwhile the Finance Member can pursue his investigation in regard to the other remedies recommended by the Tariff Board. In another six months we will have acquired experience. I do submit this is a wholesome Bill for the whole of India and we ought to rise to support it with all our heart.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

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The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President in the Chair.

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**Sir Abdur Rahim:** Sir as I come from Bengal and as I am going to oppose the motion for circulation, I think it is only proper that I should give my reasons as shortly as possible. After listening to the lucid, eloquent and, if I may say so, convincing speech of my friend Mr. Shanmukham Chetty, it is not necessary to dwell at length on the pros and cons of the question. There cannot be the slightest doubt that the salt industry is an essential need of India, including Bengal, and I cannot contemplate with equanimity the prospect of such an industry disappearing from India and India depending entirely on imported salt. Sir, as has been mentioned by some Honourable speakers, Bengal has been the home of Swadeshi, and if I cast my vote in favour of this Bill as put forward by the Government, I should be casting my vote in favour of Swadeshi. Sir, we all know that there has been a great deal of agitation against the excise duty on salt, and the demand of the people all over the country has been that salt should be made as cheap as possible, and I am convinced that that is only possible when you have a proper salt industry established in India itself. No doubt, before the Honourable the Finance Member gave a pledge on behalf of the Government that 7/8ths of the proceeds of the duty would be made over to the Bengal Government there was hesitation on the part of some of us because Bengal would have to suffer to the extent of about 30 lakhs of rupees, but after the promise made by the Finance Member, there can be no hesitation whatever on the part of any Member from Bengal to vote in support of this Bill. How that money is going to be applied, the Government of India was not able to pledge themselves at this stage. That we can understand, but I support the suggestion made by my friend Mr. Chetty as to the procedure to be adopted in this case, and when such a procedure is adopted, and a Resolution is brought forward before the House, then we shall see that the House recommends that this money is devoted to establishing a proper salt industry in Bengal itself or to promoting some equally necessary nation-building activities.

[Sir Abdur Rahim.]

Sir, I know there is a certain amount of popular cry against this duty, but when the whole position is analysed, when we are aware of the actual facts, I am sure it will be readily conceded that, unless a duty like this is imposed on imported salt, the entire salt industry will be paralysed and extinguished, and any slight inconvenience that Bengal might temporarily feel is very much outweighed. With these words, Sir, I would vote against circulation and I would support the Bill.

**Mr. S. O. Mitra** (Chittagong and Rajshahi Divisions: Non-Muhamadan Rural): Sir, I was anxiously listening to the earnest appeal of the Honourable the Leader of the Opposition to the patriotism of the Members from Bengal to rise above their parochial interests and to support this imposition at a considerable sacrifice, at this time. He was also not certain why such a sincere patriot like my Honourable learned friend Mr. Neogy could not see his way to support this tax, though all his arguments were in favour of this tax. Sir, I should like to make clear to the House the position of Members from Bengal, because really we are on the horns of a dilemma. We feel and we know that the condition of the Bengal peasants is very very critical at this particular time. They are really on their last legs. Their main produce, paddy, is fetching no proper price; jute is selling at a rate which is far below its cost of production, and in addition to this, they are now going to face additional taxation even in regard to some necessities of life, like kerosene, corrugated iron sheets, sugar and probably also for wheat. So, it is certainly true, that when voting for any additional taxation that will fall on the poor consumers, the Members from Bengal should thrice consider their position. But at the same time it is also clear that Bengal will certainly accept any sacrifice if they are convinced that the salt industry in Bengal can be revived. I shall presently give the House a few figures from which it will be clear that no serious attempt has been made to revive the salt industry in Bengal. In fact, though India produces about 3/4ths of the requirements of the whole country in salt, out of a total of 20 lakhs of tons, about 14 lakhs of tons are still produced in the country. The peninsular India, both on the Madras coast and on the Bombay coast, produces her own salt. Northern India and Rajputana produce their own salt for consumption from the Punjab salt rocks and Rajputana lakes. It is only Bengal which is dependent on imported foreign salt. Perhaps, Honourable Members are aware that the condition was quite different in years gone by, in fact Bengal produced all her salt in olden times:

"In 1863 the Government abandoned the monopoly and local manufacture was permitted subject to an excise duty, but in 1898 local manufacture was entirely prohibited."

I do not agree that there is no possibility of reviving the salt industry in Bengal, because I know the main ground is that the brine in the Bay of Bengal is not strong enough for salt to be economically produced from it. But I have consulted expert opinion and they say that if brine is taken from water below 20 feet, the brine will be strong enough, and if efforts are made on scientific lines, salt can be produced even in Bengal economically. This is a matter which should be enquired into scientifically, and we should not rest content with the mere opinion of

the Central Board of Revenue that Bengal shall have to depend on imported salt alone. I am a member of the Salt Committee, and I submit that we gave our anxious consideration to the question as to how to meet the situation. In fact, it will be very, very wrong on our part to say that Government was obstructive in any way. We must commend the conduct of the Honourable the Finance Member. I shall not go into details, but he left it entirely to the Committee to take any course they wished to take. We cannot complain against the Government when the Committee was elected by the Members of this House. The Honourable the Mover of the motion for circulation said that Government were not justified in having the view of the Assembly beforehand. I may say that the members were elected by the vote of the House and the Committee went into the subject in great detail. Unfortunately, we were deprived of the assistance of my Honourable friend the mover of the circulation motion because of certain reasons, and we could not have the advantage of a consultation with him. But I can say this much, that we considered all the pros and cons in this matter and came to the conclusion which we have recorded in our Report.

It is true that we must see that the cost of salt is not prohibitive, but in that case we must look at the man who actually consumes salt—I mean the retail buyer. I come from a village, and I say from my own experience that the variations in the price of salt in the villages do not depend very much on the wholesale rate. In fact, the price of Rs. 35 now prevailing in the Calcutta market really means half a pice for one seer of salt in Bengal. The ordinary villager buys salt by a seer or a seer and a quarter. To him the price of a seer is six pice, and not according to the Rs. 35 rate. The initial expense of production forms a very small part to the real cost to the retail buyer. In fact, it is one to seven times, and I can give you the price that obtains in Bengal. One and a quarter seer sell at six pice. I have also consulted the Board of Revenue, and Mr. Tottenham told me that, unless the price varied to the extent of Rs. 31 and annas 4 for a hundred maunds of salt, it would have no effect on the retail price in Bengal. (Inaudible interruption by Mr. C. C. Biswas.)

When we are speaking of the condition of the consumer, we must take into account only the price to the retail buyer and not to the wholesale dealer. We must also bear in mind that this price of Rs. 35 will not and cannot continue for a long time, because we know from past experience that this is merely a price-cutting war, and within two or three months—it is no exaggeration to say, as soon as the indigenous industry has been wiped out—it will go back to its former price, and as a matter of fact, the price which is prevailing in Burma even now is very high—it is near about Rs. 100. So, in speaking of the Bengal consumer for whom we feel so much, and for whom my Honourable friend Mr. Sarma pleaded so much, it is not much use playing to the gallery and asserting that we are anxious about the interests of the consumer. Let us see how this variation in price will reflect on the price to the retail buyer in the villages. The price that prevails in the village is six pice for one and a quarter seers. If we go through the Tariff Board's Report we will find that within two or three years the prices varied very much because of the various combination, combines and rings amongst the importers. Ordinarily, the price rules between

[Mr. S. C. Mitra.]

Rs. 80 and Rs. 120, and I am absolutely certain, if we accept the figures given by the Tariff Board, then there is no chance for our indigenous industry surviving, because the Tariff Board say in page 57 that, "Competition need not be prolonged or continuous in order to damage the Indian industry because having no reserve it would quickly succumb". We must accept the conclusions of the Tariff Board as matters of fact, and they conclude the indigenous manufacturers cannot continue this competition for more than 3 or 4 months, and we get also from their figures that more than a crore of rupees has been put in reserves by these foreign importers by raising the price only a few months before they can well afford to continue this cut-throw competition to kill our indigenous manufacturers, and they really want to light out the indigenous producers for some time yet, till they are wiped out.

As regards the Aden producers, I have no soft corner at my heart for them. But I know that they have entered into a contract with the Government of India that they are not to sell locally but to sell all their produce in India. So, they are producing for us. But as regards the foreign importers, what is the guarantee that in the near future those people will not raise their prices and have their vengeance? This is not a mere guess.

Now let us consider the general situation, we have got figures from the Report of the Tariff Board, and also from the subsequent enquiry by the Salt Survey Committee, which corroborate the fact that India can produce not only sufficient salt, but also salt of the high standard quality that is consumed in Bengal. If we can keep alive our manufacture for some time, we shall certainly get the benefit of a stability in prices and by extending the field of Indian manufactures become self-supporting in her salt production. So, I appeal to the Honourable Members from Bengal not to look at the near future for the next two or three months. We must see what will be the stable price after 6 or 7 months. The price of Rs. 35 is not a real price, because the cost of transport itself is about Rs. 26. As soon as the last chance of surviving the Indian industry is gone, I do not see why the foreign importers will not raise the price again. There will form rings and combines as before, and we have found to our bitter experience in the past history of this industry how much we had to suffer and pay.

The only other point that I was thinking of is this. The Bengal National Chamber of Commerce has asked why Government should not give some rebate or some bounty to the Indian producers to keep them alive for a few months. I do appeal to the Honourable the Finance Member when he has got almost all his extra 17½ crores of rupees minus a crore and ten lakhs,—I think he can well afford to pay to the indigenous producers a little sum like Rs. 11 lakhs now. In fact, when the matter was discussed in the Committee, I did not dare suggest to him the case for bounty because there was then an unbalanced Budget. Now that he has got all that he wanted, I do not know whether he will be kind enough to consider the condition of Bengal consumers; though I know that they will not be affected to the extent depicted here, yet the condition is so critical that even the chance of a rise of half a pice in the price of a seer may fall very heavily on them, and that was the reason

why my friends from Bengal were hesitating to vote either way. They are all anxious that the Indian industry must be saved and for that purpose, if necessary, Bengal will undergo that sacrifice, knowing full well that unless we bear patiently this sacrifice for the time being, we shall have ultimately to pay much more for the cost of salt even within the course of this year. At the same time we expect that the Finance Member will reconsider his position and if he gives us any hope that he will consider the question of bounty or rebate to Indian producers, then I think we can support the motion for circulation in the expectation in the Simla Session of finally adjusting things. Sir, I support the motion.

**Mr. L. V. Heathcote** (Nominated Non-Official): In spite of many excellent speeches which have been made in regard to this measure, I am not at all sure that the issue is really clear. Many have spoken of the necessity for supporting a national industry. I think that we should all welcome any constructive and fair methods of supporting an Indian industry, and had the Bill been framed to provide the Government with sufficient money collected throughout India to support those indigenous producers who must certainly be feeling the effect of the serious competition which is now going on, I am certain that they would have secured the support of this House. On the rough figure of 50 crores of maunds of salt consumed in India, I reckon that a tax of no more than half an anna a maund would have been ample to provide Aden, Port Okha and Karachi and other small producers with a bounty which would enable them to withstand not only this competition but even more serious competition. But that is not the proposition. The proposal is that Bengal and Burma should provide the money to enable these indigenous producers to live, and my Honourable friend the Leader of the Opposition referred to the burden which is being put on Bengal as a prick. I suppose that there is no way of defining a prick in financial terms, but whereas half an anna a maund all over India would certainly not be called anything but a prick, I would certainly think that  $4\frac{1}{2}$  annas or 9 times the tax sought to be levied on one section of the people would be more like a jab, and I cannot think that the measure can be said to be a measure for the protection of a national industry falling on the nation. It falls on Bengal and the reason for its being placed upon Bengal is that the measure is intended to benefit Bengal and we have also heard today that this House would welcome an indication to be given in the Resolution which I understand is to be placed before the House that the Bengal Government should be told how to use the money which will eventually be refunded to them. It seems to me that this House is in these two directions taking upon itself a responsibility which it would do better to avoid. The father chastises his son and tells him that while it pains him very much to do it, he is sure that it is in the eventual interest of his son. That is a line which you can take when the son is a young child. It is not an action that I would recommend taking when the son is fully grown. It is apt to lead to considerable dissensions in the family and I cannot think that it is wise for this House to tell Bengal what is good for it. Bengal is quite competent to express its own opinion and it will be time enough for this House to consider what measure it should pass when Bengal asks it to do so. The last speaker referred to the infinitesimal effect which a measure of this nature is likely to have upon the consumer and I do not propose to quibble with his figures



[Mr. L. V. Heathcote.]

of retail prices which will be affected by the application of this duty, but you cannot get away from it that some 35 to 38 lakhs is to be taken out of Bengal and the surrounding provinces and if that can be done in one way, it can be done in another way and in fact in placing this duty upon Bengal, we are removing at least some possibility of the Provincial Governments' taxing their own people to the same extent, and in that respect also I think we should be careful. Others have said that it is in the interest of Aden and as has also been said Aden did not lose any opportunity which was given to it when prices were raised some few years ago to take the fullest benefit of the increase in those prices, and I am not sure that this House is so enamoured of Aden and the inhabitants of Aden that it is prepared to levy a tax of 12 lakhs a year in order to benefit Aden. The Honourable the Finance Member referred to the difficulty which confronted the Government when they came to consider how the proceeds of the tax realised from importers of salt were to be returned to the consumer. I can well understand his difficulty. It was partly due to the extraordinary nature of the state of affairs confronting him, and I feel that his difficulty would have been removed had he not taxed Bengal or proposed to tax Bengal in the interests of the nation. The interests of the nation should be supported by the nation and not by a section of it.

Another aspect of the question is that of stabilising price, and here I must say that if I were at all confident that stability of prices was assured, I should have greater doubt than I have as to how I should

vote for this measure. I cannot see that in any direction at 3 P.M. all does it provide for stability of prices. The Honourable the Deputy President told us that the Bill includes a proviso whereby Aden is prevented from profiteering. Admittedly so; but there is nothing to prevent a very considerable increase of the price charged by the foreign suppliers; and, should their price increase from Rs. 35 a hundred maunds to some Rs. 65 a hundred maunds, there is nothing, as far as I can see in this Bill, which is going to prevent the price rising by that amount of Rs. 30 a hundred maunds. The only extent to which the price can be prevented from rising is the extent to which the Aden manufacturers are not to be allowed to raise their price; but, inevitably, as they supply just over a third of the demand, the foreign price will be that actually reflected in the market. Were the object to provide ourselves with some breathing space in which this difficult question could be examined, I feel certain that other measures could have been adopted by imposing a much lesser duty, which would still provide some considerable security for the Aden manufacturers, because, as has been very clearly pointed out, at Rs. 53 a hundred maunds, the Tariff Board found that Aden was in no need of protection; and so I feel certain that this House would be well advised to support the amendment of my Honourable friend, Mr. Biswas, to submit this Bill for circulation.

**Mr. A. H. Ghuznavi** (*Dacca cum Mymensingh; Muhammadan Rural*): Sir, like my Honourable friend, Sir Abdur Rahim, who said just now that, after hearing my Honourable friend, Mr. Shanmukham Chetty, he was convinced that this Bill was a good Bill. I, Sir, after hearing my Honourable friend, Mr. Biswas, my Honourable friend, Mr. George

Morgan, and my Honourable friend, Mr. Neogy, am convinced that this is a bad Bill. Sir, only the other day my Honourable friend Sir Cowasji Jehangir in this House, while speaking on the motion for a cut in the income-tax, emphasised that public opinion was behind him. I say, Sir, that public opinion as regards this Bill is wholly behind us,—and the unanimous public opinion of Bengal is that Bengal does not want this Bill. Furthermore, Sir, the constituency which I have the honour to represent has given me a mandate to oppose this Bill, and therefore I am going to oppose this Bill. Sir, much has been said to show that Bengal will get ultimate relief, that it is only a temporary measure, that they will get back the money that they may now put in. Sir, that is not a convincing argument; that does not convince us and make us support this Bill. What we would get a decade hence is not for us to consider at the moment. Sir, at this time of political troubles, I am surprised and amazed that Government should force the people of Bengal again to revolt.

**Some Honourable Members:** No, no.

**Mr. A. H. Ghuznavi:** Sir, this is not a Hindu-Moslem question; here is a unanimous opinion (Hear, hear). This is not a question where even the officials do not agree; but, though even officials are also unanimous in supporting our view, still the Government of India think that they will thrust the Bill upon us. Well, I warn them once more. If they want to see repeated what is happening in Cawnpore and what is happening in other parts of the country, let them go on with this Bill if they like.

**An Honourable Member:** What happened at Dacca?

**Mr. A. H. Ghuznavi:** That will be happening again; and there will be such a revolt in Bengal as the Government never saw before. Sir, I whole-heartedly support the amendment of my Honourable friend, Mr. Biswas.

**Some Honourable Members:** The question may now be put.

**Mr. Gaya Prasad Singh (Muzaffarpur cum Champaran: Non-Muham-madan):** Sir, my only excuse for intervening in the debate at this late hour is that the Bill affects the interests of my province as well, because, as stated in the Report of the Indian Tariff Board, of the total imports of foreign salt into Bengal, about two-thirds are consumed in Bengal and Assam, and the remainder is consumed in Bihar, Nepal and the Eastern portion of the United Provinces. Practically the whole of the salt consumed in Bengal and Assam is imported from outside India proper. Now, Sir, it is a strange irony of the situation that a country like India, surrounded by salt seas, and which has got natural advantages in the way of salt lakes and salt mines, with a temperate climate almost all the year round, should depend upon a supply of salt from foreign sources. Bengal, in olden times, had her own salt works, but this was actually killed by the deliberate policy adopted by the predecessors of the present Government, I mean the East India Company. However, I need not go into that question at the far end of the day. I will only mention this, that the Taxation Enquiry Committee reported about the year 1926 that it was very essential that this national industry should be made self-supporting, and with that end in

[Mr. Gaya Prasad Singh.]

view they proposed a rebate of duty or a differential duty on foreign salt. In 1929 this question was debated upon in this House, and Mr. N. C. Kelkar made a cut in the general Budget. The point on which this debate was raised was the question of making India self-supporting in respect of salt supply, and then it was stated that it might be necessary to impose an import duty of a protective character on foreign salt. I have been looking over the list of speakers who took part in the debate, and I find that my Honourable friend, Mr. K. C. Neogy, supported this motion which was carried, by a speech which was really very exhaustive; and the other Members from Bengal, who voted for the motion, were almost all the Members from Bengal who were present on the occasion, including my Honourable friends, Mr. Amar Nath Dutt, Mr. Dharendra Kanta Lahiri Chaudhury, Mr. S. C. Mitra, Mr. K. C. Neogy, Mr. Nirmal Chunder Chunder, and others. (Laughter.)

**Mr. K. C. Neogy:** Did they support this Bill in anticipation?

**Mr. Gaya Prasad Singh:** But the principle of the Bill is about the same as the motion which was then under discussion.

**Mr. K. C. Neogy:** Nothing of the kind.

**Mr. Gaya Prasad Singh:** Mr. Surendra Nath Banerjee, when he was a Member of the Imperial Legislative Council (later on he was knighted when he was made a Minister) in the course of the debate in the Imperial Legislative Council, spoke as follows:

"My memory carries me back to the days of the Swadeshi movement when we eschewed foreign salt. We vowed not to take any foreign salt. We made that vow in our mosques and in our temples and many of these took the vow observed it. Therefore, Sir, under a strong Swadeshi impulse, which I hope will revive with the growth of responsible government we may discard the very clean salt that we are in the habit of consuming. Things are changing rapidly in India. Tastes will also change." (Applause.)

Where is the vow which the people of Bengal took in their temples and mosques? Sir, the policy of the Government in this matter has been very unfortunate. The gates of India have been flung wide open to the import of foreign salt. Salt is coming from Cheshire, Liverpool, and other places; but it is a strange irony that salt produced in Indian India, in places like Okha and Kuda which is in the territory of the Dhrangadhra State, which I myself visited, should be prohibited from entering into British India except in Bengal and in the distant Burma, where it was not economically worth importing. Sir, it is said that this import duty will be a burden to the poor consumers of Bengal. I do not know whether it will be so. It is stated that the recent fluctuations in the price of salt did not affect the consumers so much as the fact that the money went into the pockets of the middlemen who were speculators in the salt industry. Therefore, I do not think that this imposition of the import duty will affect the consumers of Bengal to any appreciable extent. And even if it does affect them, I rely upon the national sentiment of the people and their sense of patriotism to rise to the level of the occasion and bear the temporary burden which is at present intended for one year only. With these words, Sir, I support the original motion. (Cheers.)

**Mr. Amar Nath Dutt:** Sir, a great English statesman once observed :

"Whenever I found that a particular newspaper was supporting me, I thought that I was in the wrong."

When I rise today here, I rise with a similar feeling, because I find that a class of newspapers are opposing this Bill which leads me to think that probably I am wrong. Sir, I have given this subject my anxious consideration and thought over and over again and I have come to the conclusion that at least the motion which my Honourable friend Mr. Biswas has moved, namely, that the Bill be circulated for eliciting opinion thereon should be supported. Sir, I have been in the public life of my country for more than three decades and I remember the day when the people of other provinces were accustomed to hurl on the people of Bengal their sneers and jeers for their patriotism. I remember a gentleman, who now happens to be a member of the Round Table Conference, and for the moment he will remain nameless, who at the time when there was agitation for swadeshi cloth, quoted figures showing that so many foreign articles were imported into Bengal and there were jeers on the Bengalees. Bengal has survived that. The whole of India did not support us in our Swadeshi agitation, and in spite of that Bengal has survived it. So, I believe, that we can survive the sneers that are hurled on us in season and out of season. My Honourable friend, Mr. Chetty, with whom I beg to differ, has tried to persuade us that it is in the interests of Bengal that this duty should be levied. He says that national interests and the interests of Bengal consumers are the same. Sir, I have patiently listened to his speech, but I have not been able to find out how national interests and the interests of the consumers are the same. I will convince him that he is wrong if he will only remember one fact, namely, that the poor consumers at this time of distress will have to pay more than what they are paying now for salt. You may say that it would be half a pie or something like that, but these half pies make up quite a lot. You have already increased the duty on kerosene and other things. Sir, I shall try to be as short as possible. So, instead of discussing these things, we had better let this Bill go for circulation, so that we may have the opinion of those who are most affected. If Bengal say that they are opposed to this import duty, then let us go back to our constituencies; let us consult them; let us place all the arguments before them. Sir, there is no harm in a few months' delay, and I hope Honourable Members on the other side of the House will agree to the motion. Sir, Bengal has been the Cinderella of the British Indian Empire, and I hope we will not again be asked to pay about 50 lakhs of rupees, bearing in mind the fact that most of it will come from the poorest consumer. With these words, I support the motion of my Honourable friend Mr. Biswas.

**Several Honourable Members:** The question may now be put.

**Mr. President:** I accept the closure. The question is :

"That the question be now put."

The motion was adopted.

**The Honourable Sir George Schuster:** Sir, I think everyone will agree that we have had a very interesting and, if I may say so, a very unusual debate. My Honourable friend, the Leader of the Opposition, has referred to the close association of lions and lambs in this matter. Sir, I do

[Sir George Schuster.]

not know whether I am a lion or a lamb, but I am quite certain that I shall find myself in the lobby with some very unaccustomed companions when we come to vote on this measure. (Laughter.) Sir, this matter is interesting in several ways. I venture to think that possibly the line of action which we as Government have adopted in this matter may be of some interest. I do not wish now to go into all that fully again, but I must emphasise that there are special considerations which induced us to take this attitude, particularly the fact that this is a question on which provincial interests may be regarded as conflicting, a fact which, as I have already explained, let the Government into a considerable difficulty as to how the provincial officials, who sit behind the Government, should record their votes. I have already explained what the Government decision as regards that is, and I will not go over it again. I only wish to emphasise that this is a very special case and we had very special reasons in deciding what we have decided. Sir, as to the Bill itself there is clearly a great deal to be said on both sides in this matter, and I do not pretend, although I am supporting the Bill, to say that all that has been said against it is unreasonable. I had, throughout the sittings of the Committee, tried, as far as possible, to preserve an impartial attitude, and although we have tried to respond to what we consider to be the majority opinion, I now quite clearly state that my own opinion has been formed definitely in favour of this Bill.

I should like to go back at the outset to the speech made by the Honourable the Mover of this amendment, whom I must congratulate on his eloquence, rather perhaps than on his accuracy. Sir, if ever I have a bad case to defend, I shall be very glad to engage the services of my Honourable friend Mr. Biswas. (Laughter.) He certainly made the best of a bad case. Now there is one point on this question of accuracy to which I must make some reference. There is a good deal of confusion about figures in this matter, and one of the reasons for the confusion is that the Tariff Board in their Report have given figures sometimes with reference to tons, sometimes with reference to maunds and sometimes with reference to one-hundred maunds. When my Honourable friend, the Deputy President, was speaking this morning, he referred to the price at which salt was selling today or rather the price at which salt was selling just before this measure was introduced. That price was about Rs. 35 per hundred maunds. He said that his information was that the cost of shipping was about Rs. 25 per hundred maunds, which left to the producer only a narrow margin of Rs. 10 per hundred maunds, and he suggested that it was quite impossible that any producer could live at that price. My Honourable friend, Mr. Biswas, interrupted him, and said that the Tariff Board themselves had given the fair cost of production as Rs. 8 and that therefore there was a margin of Rs. 2 below Mr. Chetty's figure. But the point is this. The Tariff Board figure of Rs. 8, was Rs. 8 per ton, and my Honourable friend, the Deputy President, was talking about Rs. 10 per hundred maunds. Now a price of Rs. 8 per ton is equivalent to no less than Rs. 30 per hundred maunds. Therefore the Tariff Board figure was Rs. 30 as minimum cost per hundred maunds for which the producer can now get only Rs. 8. They are therefore now selling at prices which, according to the Tariff Board figure, are Rs. 22 per 100 maunds below the cost of production. That is a very important point, which leads me to this further point which

I wish to emphasise. We have heard a great deal about the interests of the consumers and it has been one of the interesting features of this debate to find speakers exchanging roles in this particular matter. I think we must all consider the interests of the consumers, and although I listened with very great interest to my Honourable friend Mr. Mitra's figures in which he pointed out that this change in prices will have very little effect on retail prices, I also agree with him that in spite of the small effect, we cannot leave it out of account. But, Sir, when we look at the consumers' interests, I do not think it is fair to take the present selling price, or rather as I have said before, the price at which salt was being sold before this measure was introduced. It is not fair to take that and say that that is the price at which the consumer can buy and then to argue by our action we are going to put it up by another Rs. 28 per hundred maunds. I do not think there is the slightest chance that the consumer can count on being able to go on buying salt on an average at the present price for any considerable period, and that is the whole basis of the case. If we admit that the present low prices are likely to continue permanently, then the whole case for the Tariff Board scheme or for our scheme drops out, at least that side of the case which argues that the stabilisation of prices at a fair level is a measure which may be in the interests of the consumer. And unless we could advance that argument, I, for one, should not be supporting this measure. If I thought that salt were likely to remain at about the present level that is to say about Rs. 35 per hundred maunds, then I should certainly join with those who are going to vote for the circulation of this Bill. But I am quite certain that that is not the case. Therefore, what we have to consider is whether the Tariff Board price, which they have fixed as a fair average price, is a price which on an average will be to the benefit of the consumer. That is the first point we have to consider. And the second point is, will the scheme, towards which this Bill is a first step, really result in preserving the price at that level. On the first point, as I have already indicated, I have myself no doubt in my own mind that if the Bengal consumer could rely on an average price of Rs. 66 per hundred maunds, he would be doing very well, and for that reason I am prepared to support this Bill. And here I should like to say something on a point which has not yet been mentioned in this debate. If we are considering the interests of the consumer, it is the control of retail prices which matters, and, underlying our whole plan, is the idea that it is at least worth while studying the question whether we can introduce some system of marketing throughout India which would enable us to control the retail prices. Now, if the wholesale price is stabilised, I venture to argue that it will be very much easier to control retail prices. For the retail dealer will not then be able to claim that wholesale prices have gone up and then raise his retail prices in a way which the uneducated small purchaser cannot check. If there is a standardised wholesale price, it is going to be very much easier to establish a standardised retail price. That is one of the reasons for which I think it is worth while trying this scheme.

Then, as regards the second point, the second part of the question, is there a reasonable chance that this scheme will help us to standardise the prices? Now here I fully admit that we are treading on uncertain ground and I fully admit that this measure can only be regarded as an experiment. But one of the advantages of dealing with this matter in this form is that if this experiment fails, we shall have committed the country to nothing at

[Sir George Schuster.]

all. It will be perfectly easy to remove this duty and return to the original conditions of trading. On the other hand if we started as recommended by the Tariff Board, the first step would be for the Government to assume some control of the trade in foreign salt, and it would be very difficult indeed for us to recede from that position. Therefore that is one of the reasons for making the first step in this experimental way, and getting on to ground from which we can easily withdraw if we find it does not work. But will it work? I think at least there is a reasonable probability that it will. For what will be our position? We, as a Government, will have our hand on the producers at Aden and at the Indian sea coast places where salt is being produced, Okha, Karachi, etc. I say we shall have our hand on them, because the essence of this scheme is that any producer that takes advantage of the rebate to the Indian producers must submit himself to the obligation to sell his salt at the price of Rs. 64 per hundred maunds. So that we shall have the power to put on the market even today something like 200,000 tons of salt per annum at this price. Then, in addition to that, if our plans mature, as I hope they will, we shall very shortly be able to put on the market a further large additional quantity from Khewra. That of course will be entirely in our own hands for it will be produced by the Government of India Salt Department. With these two sources of supply, I venture to think that the chances of any foreign producers' ring being formed again and putting prices up will become very small. That, Sir, is at least my opinion. I admit it is no more than an opinion, and I have used the words "the chances will be small" because I admit that it is a question of chance. But I think it is a chance worth taking. As I have already said, if our scheme does not work, it is very easy to retreat from the position we shall have taken up without doing any harm to the country at all.

Now, turning again to the speech of the Honourable the Mover of this amendment, he took us through very long passages of the Tariff Board's Report, but although he told the truth as regards what the Tariff Board has said, he certainly did not tell the whole truth. He confined his remarks almost entirely to what they said about the production at Karachi and Okha and the whole question of sea-borne salt. I fully recognise that as regards sea-borne salt they said that to encourage that would bring very little material advantage to India. But when they came to deal with the possibility of developing the internal sources of production, the rail-borne salt, then they were able to argue that the advantages would be very substantial, and that is really the essence of the scheme. The essence of the scheme is not to protect Aden, though Aden production is going to be very useful to us in controlling prices, but the essential purpose of the scheme is to develop the internal inland sources of production in India.

Then, Sir, a good deal has been said about developing production in the Eastern parts of India, in Bengal and Bihar and Orissa, and some criticism has been passed on Government for not yet having taken steps to investigate the possibilities in those areas. I should like to make our position clear on this point. In appointing the committee over which Sir Chunilal Mehta presided, we were following out the recommendation of the Tariff Board. They concentrated their attention on certain sources of production in Northern India because those were the sources of production which obviously could be developed very easily. Now, the point of their

inquiry was not to provide us with a complete account of all the possibilities, but it was simply to give us an idea whether the first condition could be satisfied; not to tell us what was the total maximum quantity that could be produced from any possible sources of production in India, but to tell us whether there were any sources of production which could give us something like two or three hundred thousand tons of salt per annum. And therefore they went first to those places which could be most easily developed. And the result of that is that, if their Report is to be believed, we are now assured that India can produce from inland sources this extra two or three hundred thousand tons which are required to make India completely self-supporting.

Then as regards the burden on Bengal, that of course does put this Assembly in a very difficult position; but when my Honourable friend, Mr. Morgan, used an argument against this measure that if the Assembly voted in a certain way on this matter it would be almost a death-knell to any idea of federation, I think that although he referred to what is an important reality in the situation, he showed that he had been thinking of federation in realms of imaginary illusion. Because, unless India can provide some central body which can deal with these questions where the interests of different States or provinces are divided, no scheme of federation can work. The essence of a federal scheme is that the constituent units will be prepared to see matters of all-India interest dealt with by a Federal Legislature which represents them all and in which these cases of divided interests will have to be fought out. On the other hand that Central Legislature must act fairly and it most certainly does behove this Assembly to do its best to be fair in these matters and to be quite sure that by any action which it takes national interests are promoted and that no single part of India is being unfairly treated. With the scheme which we have now produced, a scheme which gives to those areas which will bear the burden of the extra duty the benefit of 7/8ths of the revenue which is to be collected, I do maintain that, with that feature introduced, the Assembly, if it gave its approval to this measure, could not be accused of unfairly over-riding the interests of any part of India.

Sir, there is only one more remark which I have to make and that is that I think myself that if this motion of circulation is passed, it will certainly be the end of this particular form of action. As far as I can see, there is nothing new to be learnt on the matter. It has not been hastily considered. We have had the Tariff Board's Report for a considerable time. That has received very careful consideration by Government; we have consulted every one concerned about the Tariff Board recommendations and the scheme which is now proposed received very careful study by a committee of this Assembly, certainly very much more than the 90 minutes' consideration which one speaker said was all that had been given to it. I do not see how any motion for circulation is going to advance our knowledge on this particular proposal. Circulation really will mean rejection of this proposal, and then we shall be thrown back on to considering whether our first steps ought rather to take the form of Government control which the Tariff Board has recommended.

These, Sir, are, I think, the main issues before this House. As I have already said we want the House to decide, and although we the Government Members will vote for the Bill, the result of any vote that is taken will be truly one of the non-official Members of the House.

Sir, I oppose the amendment.



**Mr. President:** The question is :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st July, 1931."

The Assembly divided :

#### AYES—19.

Biswas, Mr. C. C.  
Cocke, Sir Hugh.  
Dutt, Mr. Amar Nath.  
Ghuznavi, Mr. A. H.  
Gidney, Lieut.-Colonel H. A. J.  
Heathcote, Mr. L. V.  
Krishnamachariar, Raja Bahadur G.  
Moore, Mr. Arthur.  
Morgan, Mr. G.  
Mukherjee, Rai Bahadur S. C.

Neogy, Mr. K. C.  
Reddi, Mr. T. N. Ramakrishna.  
Sarma, Mr. R. S.  
Scott, Mr. J. Ramsay.  
Sen, Pandit Satyendra Nath.  
Studd, Mr. E.  
Suhrawardy, Dr. A.  
Sykes, Mr. E. F.  
Wajihuddin, Khan Bahadur Haji.

#### NOES—53.

Abdur Rahim, Sir.  
Anklesaria, Mr. N. N.  
Anwar-ul-Azim, Mr. Muhammad.  
Azhar Ali, Mr. Muhammad.  
Chetty, Mr. R. K. Shanmukham.  
Crevar, The Honourable Sir James.  
Das, Mr. A.  
Das, Mr. B.  
Fazal Haq Piracha, Shaikh.  
Fazli-Husain, The Honourable Khan Bahadur Mian Sir.  
Fox, Mr. H. B.  
Gour, Sir Hari Singh.  
Gunjal, Mr. N. R.  
Harbans Singh Brar, Sirdar.  
Hari Raj Swarup, Lala.  
Imail Ali Khan, Kunwar Hajee.  
Isra, Chaudhri.  
Jadhav, Mr. B. V.  
Jawahar Singh, Sardar Bahadur Sardar.  
Jehangir, Sir Cowasji.  
Jog, Mr. S. G.  
Kyaw Myint, U.  
Lahiri Chaudhury, Mr. D. K.  
Liladhar Chaudhury, Seth.  
Maswood Ahmad, Mr. M.  
Misra, Mr. B. N.  
Mitra, Mr. S. C.  
Muazzam Sahib Bahadur, Mr. Muhammad.

Mudaliar, Diwan Bahadur A. Ramaswami.  
Mujundar, Sardar G. N.  
Munshi, Mr. Jehangir K.  
Murtuza Saheb Bahadur, Maulvi Sayyid.  
Pandit, Rao Bahadur S. R.  
Parmanand Devta Sarup, Bhair.  
Rainy, The Honourable Sir George.  
Rajah, Rao Bahadur M. C.  
Rajan Bakhsh Shah, Khan Bahadur Makhdum Syed.  
Rangachariar, Dewan Bahadur T.  
Reddi, Mr. P. G.  
Sarda, Rai Sahib Harbilas.  
Schuster, The Honourable Sir George.  
Shafee Daoodi, Maulvi Muhammad.  
Shah Nawaz, Mian Muhammad.  
Sher Muhammad Khan Gakhar, Captain.  
Singh, Kumar Gupteshwar Prasad.  
Singh, Mr. Gaya Prasad.  
Sitaramaraju, Mr. B.  
Sohan Singh, Sirdar.  
Talib Mehdi Khan, Nawab Major Malik.  
Uppl Sahab Bahadur, Mr.  
Walayatullah, Khan Bahadur H. M.  
Yakub, Maulvi Muhammad.  
Yamin Khan, Mr. Muhammad.

The motion was negatived.

**Mr. President:** The question is :

"That the Bill to impose a temporary additional duty of customs on foreign salt be taken into consideration."

The motion was adopted.

Clauses 2 to 6 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

**The Honourable Sir George Schuster:** Sir, I move that the Bill be passed.

The motion was adopted.

**Mr. President:** I do not think Honourable Members desire to take up the next items on the Order Paper, as the House will begin to consider the adjournment motion in ten minutes.

The next item is the Wheat Bill.

(*Cries of "Tomorrow" and "Adjourn".*)

Will the Honourable Member be able to finish his speech in ten minutes?

**The Honourable Sir George Rainy** (Member for Commerce and Railways): I am afraid not, Sir.

**An Honourable Member:** The next item after that may not take very long.

**Mr. President:** Is it your pleasure to try and dispose of the next item on the Order Paper? (*Cries of "Yes".*) **Mr. Young.**

#### THE INDIAN FORCES (AMENDMENT) BILL.

**Mr. G. M. Young** (Army Secretary): Sir, I move that the Bill to amend the Indian Reserve Forces Act, 1888, for certain purposes, as passed by the Council of State, be taken into consideration. This is a Bill which contains only one item of practical importance, and that is in clause 5 subsection (b), which seeks to include Presidency Magistrates among the authorities empowered to try cases in which reservists fail to comply with orders calling them up for training. At present such offences may be tried either by courts-martial or by Magistrates of the First class, which term does not include Presidency Magistrates. It is obviously desirable that minor offences of this kind should be tried wherever possible by the standing courts, rather than by courts-martial specially convened for the purpose. I think the reason why Presidency Magistrates are not included in the provisions of the Act is probably that, in 1888, when the Act was originally passed, the number of reservists who lived in presidency towns was negligible. But in these days of increasing mechanical transport an important section of our reserves consists of motor drivers, and a considerable number of these, no doubt, carry on their civil occupations in presidency towns. The remaining amendments proposed by this Bill are purely verbal, and are inserted with the object of bringing the phraseology of the Act up to date. Sir, I move.

**Mr. President:** Motion moved:

"That the Bill to amend the Indian Reserve Forces Act, 1888, for certain purposes, as passed by the Council of State, be taken into consideration."

The motion was adopted.

[Mr. President.]

Clauses 2 to 6 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

**Mr. G. M. Young:** Sir, I move that the Bill, as passed by the Council of State, be passed.

The motion was adopted.

**Mr. President:** The House will have to wait for five minutes more before it proceeds to discuss the adjournment motion.

## MOTION FOR ADJOURNMENT.

### COMMUNAL RIOT AT CAWNPORE.

**Mr. M. Maswood Ahmad** (Patna and Chota Nagpur *cum* Orissa; Muhammadan): Sir, I beg to move that the House do now  
4 P.M. adjourn in order to discuss an urgent matter of public importance, in connection with the recent communal riot at Cawnpore.

Sir, I want to make it clear that I do not stand to create any communal bitterness in this House. I have great respect for those who have lost their lives in saving lives of their innocent countrymen. Their names will be written in golden letters in the history of this country. According to our religion, they are alive; they are not dead. They are seeing how we respect them and their noble mission and condemn the action of those who have created such a great trouble. These rioters have not served the mother country, rather they have done harm to the country.

Sir, this is the fourth riot that has taken place in the United Provinces within the last two months. The history of the Cawnpore riots, so far as the facts are known, is this; that after the execution of Sardar Bhagat Singh and his comrades a *hartal* was observed on the 24th March. The demonstrators wanted to terrorise those who did not join the *hartal*, and brought pressure on Muslim shopkeepers to close their shops too. Some peaceful and innocent Muslim shopkeepers refused to join the *hartal*. They were tired of these *hartals*. Those shopkeepers did not like to give up their right of liberty and stoutly refused to join the *hartal*. This was the only fault of the peaceful shopkeepers. The demonstrators took the law and order into their own hands and brought about a communal riot. By 25th March, the deaths registered, according to Government report, at the Cawnpore City Hospital, were 94, out of which 67 were Mussalmans. According to another version, by the 26th, the death list mounted up to 122, and out of these 89 were Muslims. The total number of injured was about 500 and the majority of them were Muslims. Today's report is that the number of deaths has gone up to 200 and majority of this consists of Mussalmans. Those killed generally included innocent persons, children and helpless women. The list of casualties also includes faithful and loyal servants of the country who were trying to suppress the riot and were trying to save others' lives. A large number of women and children is missing.

Mussalmans have suffered much more than others. Their houses have been burnt, their shops have been looted, their children have been butchered. For several days the authorities failed to restore peace and order. I fail to understand what the police were doing all this time, and for what purpose such a huge army, on which more than fifty crores of rupees are spent, is being maintained. (Applause.) After the riots of Benares, Mirzapur and Agra, the Government ought to have been more cautious and should have been in readiness to meet any such emergency, but they failed and hopelessly failed in their duty of protecting the lives and property of the peaceful citizens of this country. They ought to have realised from the other three riots that took place in other cities of the United Provinces that public peace was in danger, and their failure to realise this was rather disappointing. We want to know the Government policy in this connection. We are not begging protection from the Government. We claim it as a matter of right. If they are unable to give us protection, I would ask them to leave the country bag and baggage (Hear, hear) without even waiting for the decision of the Round Table Conference as to their destinies. And then we will take care of ourselves. (Loud Applause.) We can protect ourselves easily, but the difficulty is that all of a sudden *goondas* take law and order into their own hands and a riot starts. They kill innocent citizens, and when we strengthen ourselves and are ready to counteract the attack and to suppress the *goonda raj* and to take our revenge, British bayonets and machine guns come in our way. The difficulty is that the lives of innocent and peaceful citizens are in great danger, and in fact, they have been butchered in Cawnpore like anything, but the Government are sitting tight in their seats and are not caring a bit for those wretched and helpless citizens who have lost their lives. There were so many police to suppress the civil disobedience movement and the *lathi* charges were for that purpose only, but when there is the question of the protection of lives of poor Indians, suppression of *goondaism* and restoration of peace and order, all their instruments become rusted and are not fit to be used.

I do my duty and inform the Government that they are losing the confidence of the public, and if such *goondaism* will not be suppressed, it will be the match that will inflame the whole country. The citizen cannot sit idle any more. I ask the Treasury Benches either to protect us or tell us in plain language that they cannot do so. I appeal to you in the name of civilization, in the name of humanity, in the name of religion, and in the name of God,—I ask you to realise your responsibility and check such irresponsible acts and take strong measures against the creators of mischief. If you want to suppress the terrorisation, if you actually want that such riots do not take place in future, keep your army in all the big towns, instead of keeping them in Dehra Dun and other cool places. Distribute arms to innocent citizens belonging to minority communities to protect themselves. Constitute peace committees consisting of influential persons of the different communities at different places and try to compensate the sufferers. Appoint a committee of officials and non-officials to enquire into the matter.

Sir, I move :

"That the House do now adjourn."

(Loud Applause.)

**Lala Rameshwar Prasad Bagla** (Cities of the United Provinces: Non-Muhammadian Urban): Sir, as one representing Cawnpore in this House, I think I shall not allow this opportunity to pass without expressing my indignation at the events in Cawnpore. I keep before me the very good advice of the Honourable the Home Member that we should not say anything in this House which might embitter feelings or interfere with the resumption of normal conditions. We are not here at the moment to go into the causes of the trouble. But there is a strong feeling everywhere that if the local officials had taken the right measures in the beginning the situation would not have been so bad. It is not my idea today to apportion blame. We are glad, however, that the Governor of the United Provinces and the Honourable the Home Member of those Provinces took the earliest opportunity to visit the affected areas and their timely visit has helped the growth of a better feeling between the two communities and to the slow move towards normal conditions.

Every Member in this House will view with the greatest pain the unfortunate murder of Ganesh Shankar Vidyarthi, a name respected both by Muhammadans and Hindus in Cawnpore and the United Provinces. The mystery of his death must be solved. Therefore, I appeal to the Government to take such steps not only to resume peace and order in Cawnpore, but also to find out the circumstances under which such a noble soul as Ganesh Shankar Vidyarthi was lost.

**Khan Bahadur Haji Wajihuddin** (Cities of the United Provinces: Muhammadan Urban): Sir, as a representative on the Assembly of the seven cities of the United Provinces, including Cawnpore, I rise to support the motion moved by my Honourable friend, and with deep sorrow I wish to say a few words in connection with the serious communal riots which have been going on since 24th March at Cawnpore. I understand that the refusal of Muslim shopkeepers to observe *hartal* by closing their shops in sympathy with the Lahore executions has led to trouble to such an extent that a large number of innocent persons have been killed, hundreds of them have been wounded, and a considerable number of shops have been looted and burnt down. Many houses were set fire to, mosques and temples have been destroyed and damaged. Great panic prevails throughout the city and the cantonment. Sir, my source of information is most reliable. Friends and members of my own family are present today in the disturbed area. I have just received communications from my friends there and I will read out a few sentences from them which will give a rough idea as to the real conditions prevailing in Cawnpore. This is an extract from a letter dated the 25th March, 1931. It is as follows:

"Cawnpore is in an extremely dangerous condition. Riots are in full swing. No sign of abatement. Business is at a standstill. People are panic stricken and horrified. We cannot go out. We are confined to our homes and passing through very critical moments. It is quite beyond our calculation as to when this loot and arson will cease. Many have been killed and many are lying injured. Acts of barbarism are being perpetrated and continue in full swing up to the time of writing this letter. Shops and houses are being burnt down. Wholesale loot is going on."

Here is another extract from a letter dated the 27th March, 1931. It is as follows:

"No change in the riot yet. Condition has gone from bad to worse. Hundreds have been put to death and hundreds robbed and rendered homeless. Houses are set on fire. Even our shops could not remain safe. The mob got through in and looted as much as they could lay their hands on. It seems that the British Government raj is

over. Our three servants have been killed by the mob. There is no sign of abatement till now. Still passing sleepless nights and confined to our homes. These events have called to memory the mutiny of 1857. God knows how long this will last, how many have been killed and what more is about to happen. Our eyes have never witnessed such a riot before."

Sir, let me say frankly that the atrocities committed by hooligans at Cawnpore are no doubt too horrible to relate. Further there is no guarantee whatsoever that such atrocities will not be committed again.

Now, Sir, the question naturally arises whether the local authorities at Cawnpore had realised the critical situation created by the Lahore executions and whether there were sufficient reinforcements ready to hand to cope with the situation. It is of course a matter of the great regret and disappointment that the local authorities have failed to restore peace and order till now in spite of the fact that six days have elapsed since the riots commenced there. The details so far available are extremely inadequate, but, Sir, they are enough to show that the riot there has been one of the most terrible of its kind in India's recent history. According to today's Press news the death roll has exceeded 200, the majority of whom no doubt consist of Muslims, while the population of Cawnpore, I believe, consists of not more than one-third of Muslims and about two-thirds of other communities. But all cases of deaths in connection with outbreaks of this kind do not immediately come to official notice. Many of them indeed never come to be recorded at all. According to the figures furnished by my Honourable friend Mr. Gwynne three days ago on the floor of this House, I find that out of 94 deaths reported by that time, there were 67 Muslims alone. My esteemed friend also admitted the other day, in answer to a question, that the majority of those injured were also Muslims. Taking into consideration the several riots which took place in various cities of the United Provinces, namely, Benares, Agra, Mirzapur and Cawnpore during a short period of two months, I think it is high time for both the Government and the Congress leaders to consider most seriously the problem of protecting the lives and property of Indians against these outbursts of political fanaticism that have become so terribly frequent in my unfortunate province. With these remarks I support the motion of adjournment.

**Lala Hari Raj Swarup** (United Provinces: Landholders): Mr. President, I stand with a heavy heart to take part in this discussion because the official report itself says that more than 200 of my countrymen have been killed in warfare in Cawnpore besides the large number of persons injured. The actual number of casualties cannot yet be ascertained and I am sure it will far exceed the number officially reported. Coming as I do from the United Provinces and representing as I do the landholders of that Province, which constituency extends to the whole of the province, I shall be failing in my duty if I do not take part in this discussion. I do not want to discuss how many Muslims and how many Hindus have been killed, because the full facts are not yet before the House. My object in speaking on this motion is to fix upon the Government the entire responsibility of not having been able to restore peace and order so far. In dealing with this point I will take two aspects of the question. The first point is the omission on the part of the Government to take precautionary measures, and the second point is that, once the riot broke out, adequate steps were not taken by

[Lala Hari Raj Swarup.]

the executive as promptly as they should and could have been. Taking the first point, I reliably understand that the news of the execution of Bhagat Singh and his comrades reached Cawnpore about 8 o'clock in the evening of the 23rd. Attempts were made on that day to obstruct traffic by making tram cars and tongas stop. That ought to have been an eye-opener to the authorities and they ought to have posted police and the military in the town in order to prevent a recurrence of the trouble which they ought to have expected on the following day when the Congress had declared that a general *hartal* would be observed. Furthermore my own province unfortunately during the last month had been subjected to serious communal riots in various places like Benares, Mirzapur, Agra and lastly Cawnpore. That ought to have given a hint to the authorities to take precautionary measures especially at Cawnpore where such a large amount of combustible element live in the form of mill hands.

As regards the second point, the trouble started on the morning of the 24th, and as far as the discussion in the local Council shows, it has been clearly proved that on the 24th and 25th not a single policeman was to be seen throughout the town and looting and incendiarism was allowed to go on. The Commissioner, to whom we owe a great debt of gratitude, arrived on the morning of the 26th. He convened a committee of the important persons of Cawnpore, which was attended by leading Muslims and Hindus, on the afternoon of the 27th. All these gentlemen went round the town in motor cars in order to see the affected areas and I will just read out a few passages showing what these people noticed during their visit in the town. As will be plain, this will also corroborate my contention that the Government did not provide sufficient police and did not take sufficient protective measures:

"At one point the cars were surrounded by the people of the area who rushed out on seeing them and complained that there was no police guard anywhere in the vicinity, and they were living in perpetual fear day and night and had to concentrate themselves in a few houses, living thirty or forty in each of them."

As the party motored on,—

"At another place which is inhabited by the educated middle class people in houses constructed by the Improvement Trust, the men who came out alleged that a police party came there and went away after giving several of them a good deal of beating, some of whom were lying injured."

This is the way, Sir, in which the police behaved in Cawnpore. This party motored throughout the city of Cawnpore and not a single place was there where the people did not complain of the inadequacy of police arrangements. What the party heard further was:

"At another place people complained that they were not receiving any police protection. Throughout the way, although the car was passing through the worst affected areas and had covered many miles, not a single policeman was visible anywhere, and each of the people's representatives several times exclaimed: 'Where is the police? No trace of it!'"

Then Munshi Narain Prasad Nigam, a leading citizen of Cawnpore, makes a statement to the Press and says:

"These leading men complained, according to him, that the police arrangements were not what they ought to have been. Murder and arson, they said, had been committed under the very nose of the police."

Then, Sir, the military was also requisitioned on the 24th, but early on the morning of the 25th the authorities, thinking that the situation had come under control, withdrew the military, and rioting again started, and it is an open secret that rioting continued even up to this day, and so many lives have been lost. It is also quite clear that for the first three days of rioting no arrests were made. Had the authorities been prompt in arresting the miscreants and the *goondas*, the situation might have been averted. This clearly shows that the impression prevailing in the country that there is a difference between a political riot and a communal riot, and that the determination shown by the Government in dealing with the former is considerably relaxed in dealing with the latter is perfectly right. With these few remarks, Sir, I support this motion for adjournment, and I appeal to the Government to be more attentive and effective in dealing with these communal riots,—the responsibility for long continuance of which lies more on the shoulders of the Government than on the people concerned. If stringent measures are taken at the outset, the trouble is nibbed in the bud. If no such steps are taken and the authorities give a long rope to the *goondas*, the trouble continues for a sufficiently long time with the resultant misery for all people.

**Mr. H. W. Emerson** (Home Secretary): Sir, I should like first to read out to the House the latest information received about the situation in Cawnpore. This is a report received from the United Provinces Government this afternoon:

"The following is the situation at Cawnpore as reported at 9-45 A.M. by telephone this morning. Everything perfectly quiet. No murders and fires reported during the night, and shops are beginning to open a little. Some of the mills have started work. The city is still very panicky, but feeling is getting better. Arrests up to date 341. Casualties: deaths so far ascertained 141,—42 Hindus, 99 Mussalmans; wounded 386,—219 Hindus, 167 Mussalmans."

I should, Sir, first like to express, on behalf of Government, their very great regret at this tragedy and to express their sympathy with the relatives of those who have lost their lives, with those who have been injured and with those who have suffered loss or injury to property. The criticisms of the Honourable Members who have so far spoken have been mainly directed towards two points; firstly, that at the outset vigorous action was not taken by the local authorities, and secondly, an expression of surprise that these disorders should have taken so long to be brought under control. Now, Sir, Government are at an obvious disadvantage in answering those criticisms. They have received certain information about the course of events, but that information is incomplete, and for a very good reason. The local officers, for nearly a week now, have been engaged, night and day, in suppressing disorder, in doing their utmost to save the lives of innocent citizens, and they have not had the time to send daily reports; nor would I think any Member of this House desire that, until there is safety of life and property in Cawnpore, the local officers should be diverted from their primary duty of restoring order in order to send detailed reports to Government. Nevertheless, such information as we have goes to show that there was no lack of vigorous action at the outset. The trouble began about 2 P.M. on the 23rd.

**Maulvi Muhammad Yakub** (Rohilkund and Kumaon Divisions: Muhammadan Rural): When?



**Mr. H. W. Emerson:** On the 24th,—I beg your pardon—first on the Mall where it took the form of breaking shop windows and of some damage to property. Action was immediately taken there, and the trouble stopped. Later, in the afternoon, trouble began inside the city and the cause was that stated by several Members, namely, attempts to force Muslim shop-keepers, against their will, to shut their shops. That also was of a local character and was quickly brought under control. As soon as the trouble began, the District Magistrate and the Superintendent of Police themselves went into the city. They sent 250 of their armed reserve also into the city and they made their dispositions. Later, in the evening, further trouble occurred, but that was not of a serious character and was also stopped. During the nights of the 24th and 25th there was sporadic trouble in the city. Some of the troops in Cawnpore were however called out, and when, early in the morning of the 25th, it appeared that the trouble was likely to assume more serious dimensions, aid was at once requisitioned from Lucknow. There was no delay in sending reinforcements. 200 police, mainly armed, were despatched at once from Lucknow. The last of them arrived in the afternoon. Two companies of the East Yorks were also sent from Lucknow and they reached Cawnpore about three in the afternoon. On the same day, that is March, 25th, orders were issued to other districts to send reinforcements as soon as possible, as all the available men in the Lucknow reserve had already been sent. These requisitions were met with as little delay as possible. The position on the 28th was that the total reinforcements from outside districts were 567, making a total, with the Lucknow reserve, of 872, in addition to the ordinary city force. This was further augmented by reliefs of 250 men. Now, from the facts I have mentioned, it seems to be unfair to assume, certainly in the absence of more complete information, that the local authorities in Cawnpore and the Local Government in Lucknow failed to take all measures possible in order to reinforce the local forces at Cawnpore.

Now, the second criticism I have to attempt to answer is that with all the police and all the troops at their command, the local officers were unable immediately to bring this rioting under control. Now, I am speaking with a certain amount of experience of disturbances of this sort and I have read the reports of many other disturbances which I myself have not seen. Generally speaking, there are certain features common to all communal disturbances,—either they are brought under control within the first few hours or, if they are not so brought under control, the task of controlling them is a gradual process. The reasons for this are, I think, clear. When disorder spreads in a large city, it does not usually take the form of clashes between two opposing mobs, one belonging to one community and the other to the other community. If it took that form, it would be comparatively easy to deal with, but it takes the form of frequent raids from one mohalla into another by small gangs of Muhammadans or Hindus or of members of other communities . . . . .

**Mr. K. Ahmed** (Rajshahi Division: Muhammadan Rural): What about your reserve police which was posted from corner to corner in the city with guns and bayonets?

**Mr. H. W. Emerson:** . . . . . or it takes the form of raids within the same mohalla where the residents belong to both communities. Still more frequently—and this is the feature that is the most difficult to deal

with—it takes the shape of isolated sporadic attacks on individuals in which two or three men pounce upon an innocent passer-by from some lurking place or some corner in a bye lane of the city. There is only one effective way of dealing with a situation of that sort; and that is by constant patrolling and intensive picketing. Now, constant patrolling and intensive picketing assume a large force of troops and police. If the force is not adequate to deal with the whole of the situation, the most it can do is to restore order in particular areas. And that is what was done at Cawnpore. As soon as reinforcements came in, picketing and patrolling were put into practice and gradually one portion of the city after another was brought into order. But, Sir, those who have seen these disturbances know the great difficulty that the police and the troops and the local officers have to encounter. They cannot achieve the impossible. It is primarily a matter of man-power; the forces have to be brought in before control can be obtained.

It has been suggested that Government officers and the police are more ready to deal with political disorders than with communal disturbances. That charge has been often made. It is almost unnecessary for me to say that it has never been supported by any evidence that would satisfy any reasonable person. And I can conceive no worse dereliction of duty on the part of any civil officer or any police officer than deliberately to stand by while the lives of innocent citizens are in jeopardy.

**Mr. K. Ahmed:** Did you arrest any people on the night of the 23rd March at all? Mr. Swarup has already said that you were the silent spectators and did nothing on the 23rd, 24th and 25. Can you explain that?

**Mr. President:** Order, order.

**Mr. H. W. Emerson:** I repeat, Sir, that I can conceive no worse failure of duty than any act of that kind.

At present quiet has been restored in Cawnpore and it is the prayer of everyone that quiet will be maintained and there will be no recrudescence of disorder either there or in any other place. We should all be glad to think that the disturbances that have occurred recently in the United Provinces are isolated events and that with the restoration of peace in Cawnpore, we shall see the end of a tragic story. But it would be folly for us to be wilfully blind to the writing on the wall and to fail to take precautions lest unhappily this trouble recurs in other places. It is the duty of the public, of members of the community and of Government to do everything that is possible to see that events of this sort do not occur.

**Mr. K. Ahmed:** Have you discharged your duty? Did you arrest.....

**Mr. President:** Order, order.

**Mr. H. W. Emerson:** So far as Government are concerned, the House has the right to know what it is able to do. It can do a certain amount in this direction; it cannot achieve the impossible. It must be primarily the task of leaders of public opinion and of all communities to maintain friendly relations and good feeling and to restore them when these feelings have been disturbed. In the first place, it may be stated unequivocally that it is the duty of Government and of everyone of its servants to do everything that is possible to foster and promote good relations and friendly feelings between the various communities, and it is equally their duty,

[Mr. H. W. Emerson.]

when causes of friction arise, to do their utmost to remove them. If unfortunately feelings run high and there is danger of troubles, then it is the business of local officers to be vigilant, to take all precautions that are possible and to learn from experience elsewhere. And in this respect I would like to say that the Government of India will study the reports that they have received from time to time of communal disorders of this kind. They will examine them with a view to learning the lessons they contain and will pass on to Local Governments information regarding the measures that have proved successful both in preventing their occurrence and in stopping them when they have occurred. They will do their utmost within their powers to see that occurrences of this kind do not stain the record of this country.

**Nawab Sir Sahibzada Abdul Qaiyum** (Nominated Non-Official): Will the Honourable Member please tell me whether the police or military had to open fire on this occasion?

**Mr. H. W. Emerson:** So far we have had no information that firing was resorted to. But I cannot say whether it was or it was not. We cannot give a specific answer to that question.

**Nawab Sir Sahibzada Abdul Qaiyum:** Do we take it that the Government simply resorted to the arrest of the law breakers and ordered no firing when they came across rioting on such a colossal scale?

**Mr. H. W. Emerson:** I do not think any such assumption can be made.

**Mr. O. S. Ranga Iyer** (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Sir, I must congratulate the Honourable the Mover of this motion for having brought forward the specific facts in connection with this dastardly episode and presented them in a manner worthy of this House. I also congratulate the representative from Cawnpore, Mr. Bagla, on presenting his case with that restraint of feeling which only shows how much he feels in that matter. So has Mr. Hari Raj Swarup, the representative of the Landholders in the United Provinces, spoken on their behalf. The Honourable Mr. Emerson made his maiden speech this session in this House, but he has delivered that speech without the usual blushes of a maid. Sir, he has given us some facts about the communal situation, the communal riots in Cawnpore. He has also given us one or two little essays arising from his own experience as to how communal situations should be handled. Obviously his speech discloses one glaring discrepancy in regard to the bureaucratic methods of dealing with matters of law and order. When they have to deal with the political situation, they have got one method of diagnosis, one method of dealing with the situation. When they have to deal with the communal situation, where European lives are not involved, they begin to think of the lanes and by-lanes in which the dregs of society quietly crawl, only surreptitiously creeping up and take away lives. They are not dealing then with clashing mobs, they are dealing with clashing snakes. That is the sum and substance of what he said. There are lanes in Cawnpore, there are by-lanes in Cawnpore, and the military could not crawl there, their own police could not go there and these assassins coming out of their little caves dig into other people's houses and

set fire to them and escape. That is the sum and substance of what Mr. Emerson has told us. In other words, the Government of this country have no heart to deal with communal crises in the same manner in which they deal with political crises. The lives that have been daily lost in Cawnpore tragically disclose the incompetence of the present authorities to maintain law and order where Indian lives are concerned. According to the facts published in the *Leader*, a very responsible newspaper of Allahabad, edited by an *ex*-Minister, a very responsible gentleman, noted for his moderation; according to this paper, the figures supplied by the Commissioner which are presumably hospital statistics are as follows. The number of casualties on each day following the 24th stood like this. On the 25th, 146 were injured and 50 killed; on the 26th, 75 were injured and 60 killed; on the 27th, 42 were injured and 19 killed; and on the 28th, up to 10 A.M. two were injured and one killed. The Honourable Member was pleased to furnish this House with information as to how many Muhammadans and how many Hindus were killed. I am today concerned with how many Indians were killed and as to how far the English Government in India was capable of stopping the progressive murder of peaceful citizens. I would ask Mr. Emerson and his Government to imagine that, instead of the Indian lives lost in Cawnpore, instead of Indian women and children murdered in Cawnpore, European lives had been lost and European women and children were murdered in that place, from the 24th and onwards. Would Mr. Emerson, I ask then have stood up in his place and so placidly and so unemotionally, like an essayist, read out his experience of former riots and methods of dealing with recent happenings? There would have been martial law in Cawnpore then.

**Mr. B. Das** (Orissa Division: Non-Muhammadan): As in Sholapur.

**Mr. C. S. Ranga Iyer:** As my Honourable friend, Mr. Das, says, as it was in Sholapur, though to my knowledge in Sholapur so many Europeans were not murdered as in Cawnpore so many Indians have been murdered. There was less need for martial law in Sholapur and real need for martial law in Cawnpore. Is martial law incapable of creeping into lanes and by-lanes? At least history provides us with one lane in Amritsar where martial law was capable of penetrating. It is all very good for Mr. Emerson to stand up in this House and tell us about the difficulties of stopping communal passions from developing but I know how it is very difficult indeed for outsiders to deal with lives and property and to preserve the safety of the Indian people. That accounts for the carnage of communal riots spreading year after year ever since the beginning of the British rule in India. That, Sir, is a condemnation, a terrible indictment of this alien administration, an exposure of their incompetence to maintain law and order where the Indian prestige, Indian lives and Indian honour and Indian property are concerned. (Applause.) Wherever there was a political event, wherever there was a political happening, wherever the prestige of these foreigners was involved, there was a riotous display of bureaucratic force and police power. I see Mr. Emerson is perhaps trying to belittle the situation in Cawnpore, but I ask him to go to Bombay and to think of Bombay happenings. What happened? Men and women marching in peaceful procession to pull down the foreign flag and salute their own national flag were insulted, the police were let loose like hounds of Bellona, let loose on those harmless inoffensive people, consisting of a large number of ladies.

[Mr. C. S. Ranga Iyer.]

The hospitals of Bombay will tell the story of the *lathi* charges and their after effects, and the jails all over India will tell how the jails were filled up by a foreign Government when their prestige and their honour were involved, even though their lives were not so much in jeopardy. On the other hand when our men are being butchered in the streets by hooligans, a hooligan Government abdicates. Sir, the other day we were told in a place which was full of high ideas and by a great Englishman who has done a great deal for this country, we were told of the outbreaks of "savagery". But there has been no more savagery on this God's earth than the rule of one people by another, and so long as that foreign rule continues, I am afraid these communal riots will continue to tarnish the fair name of this beloved Motherland of ours. Lives will continue to be lost and we will be told that snakes lie in the lanes and by-lanes. But when there is a political situation as in the Punjab, we and our people are asked to "crawl like snakes on our stomachs," as Lord Curzon put it in the House of Lords in condemning that brutal order.

Sir, law and order has abdicated and these law and order men seated on those Benches have solemnly proclaimed that in this transitional stage they are not going to stop or prevent the Provincial Governments from giving a long rope to communal fanatics and communal rioters, to men who want to mar the peaceful atmosphere that has been created. Sir, the most shocking thing in Cawnpore was this. There were rescue parties, and in one rescue party perished one of my dearest friends, Vidyarthi, a man who was a friend of the Hindu, a friend of the Muslim, a friend of every community except perhaps the police community, except perhaps the Government community, whom he had time in and time out enraged both by his newspaper articles and by his Gandhian propaganda. Newspaper accounts—and I need not read them as I presume Mr. Emerson has read them—newspaper accounts show that Mr. Vidyarthi was protecting from the hands of the hooligans unfortunate families, men, women and children. The police watched on: they withdrew their help. Such a thing is heard in no other part of the world and seen in no other part of the world but in India where the police watch their erstwhile political opponents trying to evolve order out of chaos without the resources which the police themselves enjoy. If the police of Cawnpore were honest about the business, they would have come to the help of the rescue parties instead of watching the cold-blooded murder of these helpless participants in the creation of peace. There has been a grave dereliction of duty on the part of the local authorities, so far as the information in my possession goes, and in justification of my statement I will, as my time is limited, read just one or two lines from the observations of the *Leader* which have not been challenged:

"In the report of our special correspondent"—says the "*Leader*" dated March 30,— "who visited what was described as the worst affected area in the company of a number of leading citizens and the Commissioner and the District Magistrate, it was stated that no policeman was visible for miles, the leaders drew pointed attention of the two officers to this fact and that at once place the cars were surrounded by the people of the area who complained that there was no police guard anywhere in the vicinity. . . ." etc.

These facts Government themselves know and I wish that they will immediately care to appoint a committee of inquiry consisting of prominent non-officials besides Government men to go into this ghastly episode

which only reveals how crudely, how clumsily, how irresponsibly, how recklessly the police on the spot did not do their duty in regard to law and order.

**Maulvi Muhammad Shafee Daoodi** (Tirhut Division: Muhammadan Rural): Sir, I do not like the idea of bringing such matters on the floor of this House for discussion. It is really a domestic concern of the two communities who live in this land. Therefore, although such riots have been happening for the last so many years, my attempt has always been to talk to my Hindu friends who know me most intimately and discuss with them the ways and means for suppressing these riots. That course I have always adopted and I have never brought any such case to the notice of this House. If we bring these things to the notice of this House and try to find the root cause of the evil, we shall do nothing but wash dirty linen before the outsiders, so to speak. That is the reason why I have never liked to discuss such matters before this House composed as it is. I have recently complained of it to men whom, though I respect, I hold responsible, and who in my humble opinion can remedy the evil. But the matter has now been brought before this House and the incident at Cawnpore is not one which can be passed over as something small. I find that grave consequences may follow from it. I feel that I would be failing in my duty if I did not speak out my whole mind at this juncture. I feel that I may be hurting the feelings of many of my friends on this side if I give out my views and therefore I would apologise to my friends and ask them to give me their indulgence and hear my point of view on this question. I cannot understand why we should criticise the Government alone. Government are certainly to be criticised for not taking precautionary measures and for not being prompt in reinforcing the police or the military forces for protecting the people. That is one thing which has always happened, but in spite of criticisms and very vigorous and violent criticisms, the thing has not come to an end. Why? Because there is something else behind it, and unless that something else is tackled properly, I think we shall not see an end of these unfortunate happenings. What that something else is has got to be seen. It has been more patent in Cawnpore than in other riots which have happened during these past years, because we do not find the cow at the bottom of the riot nor music before mosques at the bottom of it. It is a body of men who want to force their view on the people who do not like to obey them. I do not think any of my friends here can challenge me on this point. The plain thing which every one can see and cannot deny is that here were shopkeepers who did not like to observe *hartal* according to the mandate of the Congress and there were people who wanted that the order of the Congress should be obeyed by them. Of course altercations would ensue and it would certainly end in affray and the trouble would continue. Every one of us can imagine very easily how these things grow.

The simple psychology of the human mind is enough to show what is behind all this. Is it not the enforcement of the will of a body of men on the will of another party? It is clear that there are two communities living side by side: one does not want to obey the Congress orders, and the other wants that the order should be obeyed. A conflict is inevitable, and if it is to be avoided, it cannot be avoided by accusing the police and the military. It can be avoided by those leaders of the

[Maulvi Muhammad Shafee Daoodi.]

two communities, by those sensible men who claim to have the goodwill of the communities at heart: it is for them to find out ways and means for remedying the evil. I think I should not say anything on this point at great length. It is enough for my friends who want to understand my point of view to know what I mean. I submit that we have got to recognise facts. Unless we recognise facts, we will not be able to diagnose the disease and the remedies will be far far away from us. The fact is that there are two communities, one wants to impose its will upon the other, and the other wants to avoid it; a conflict is inevitable. If you want that these things should be rare in India, you should first of all try to educate public opinion in such a manner that the domination of one community over the other must cease and cease at once. That is the only course to be adopted by those who have the goodwill of India at heart. I would even say that the fate of India will be doomed if the step which I am suggesting is not taken up at once and by every one of us who feels for the people of this country. I should say that, although the Congress movement has been called non-violent, still I am tempted to say, and my friends will permit me to say, that the non-violence has been exhibited against those who have got brute force behind them; but the element of violence cannot be eschewed by a human being and it is displayed as against those who are considered to be helpless. I have my own personal experience in the matter, that Muslims have been murdered in solitary lanes. A Muslim who is weak and imbecile has been murdered in a helpless condition: these are the things which ought to be stopped at once. It is the personal experience of such horrible things that made me sever my connection with the Congress. I cannot persuade myself to see these things happening and forget them in the interests of something else. Of course I know that there are higher interests which should be looked to at all times, but there are also lower interests which should not be sacrificed, if doing so is going to affect the very foundation of society. I should say the remedy lies in our recognising the fact that there are two communities and that the two communities want to develop themselves in their own way. Let them develop themselves in their own way. Do not stand in their way. Give them free choice to choose their own path of evolution. Then and then only the two communities would come nearer. It may be that if we are more earnest, we may see the day coming nearer, but if we are not in earnest, the day will be far far distant from us. Therefore I would conclude by asking our friends to recognise facts, to go to the root of the evil and try to remedy that root cause. Then and then only we shall see an end of these unfortunate tragedies.

**Mr. Arthur Moore** (Bengal: European): Sir, this morning the Honourable the Home Member appealed to us very earnestly to deal with this subject with restraint. The reply to that appeal was the speech of Mr. Ranga Iyer. I am sorry that after delivering that speech he has not remained in the House. I am bound to say that I do not think that I have ever listened in this House to a more disgraceful utterance. I doubt if I have ever listened to a more obviously insincere utterance. (Hear, hear.) I commend to the House much more the tone of my friend, Mr. Shafee Daoodi. Mr. Ranga Iyer, I am sure, left the impression upon all minds that there must be some very unpleasant trail to be

covered. What are the facts about the European community? I have no hesitation in saying that if some complete stranger had been present in this House, knowing nothing of the subject and listening to Mr. Ranga Iyer, he would have derived the impression that there had been an appalling massacre of Indians in Cawnpore with every circumstance of indignity and outrage and that this had been committed by Europeans. He endeavoured to establish . . . .

**Mr. K. Ahmed:** He did not say that.

**Mr. Arthur Moore:** He went as near it as he could . . . .

**Mr. K. Ahmed:** No, no.

**Mr. Arthur Moore:** His suggestion was that these terrible outrages upon Indians had been perpetrated, and the whole trend of his speech was to indicate that Europeans were responsible. Now I should like to begin by saying that we do not pretend to sit in judgment upon the facts of the case. But—entirely contrary to what Mr. Ranga Iyer asked the House to believe,—Cawnpore is a town where there is a large and important European community, and where the Europeans have very great interests indeed. Some one, unfortunately for him, mentioned Sholapur. He endeavoured to establish the proposition that the Government would ruthlessly shoot down in towns where European interests were involved, but that they would sit back and do nothing where there were no Europeans to be considered. Now, we must all know the history of the unfortunate communal disturbances that have broken out repeatedly in town after town in recent years, where there were no Europeans interested at all, or to an extent comparable to that in Cawnpore, and where British troops had to be called in to restore order. The very instance of Sholapur which he cited is such an instance. Therefore, I need not go on with it . . . .

**Mr. O. S. Ranga Iyer:** When did the troops pour in to Cawnpore to restore order?

**Mr. President:** Order, order. The Honourable Member is not yielding.

**Mr. Arthur Moore:** We all know . . .

**Mr. O. S. Ranga Iyer:** I should like to know from the Honourable Member when did the troops appear on the scene to restore order?

**Mr. President:** The Honourable Member is on his feet. He must yield, otherwise the Honourable Member cannot interrupt him.

**Mr. Arthur Moore:** I don't want to yield, Sir. We all know the troops were called in to restore order in Sholapur. With regard to this terrible situation that has arisen in Cawnpore, as I say, we do not attempt to sit in judgment, because we have some information that the European community in Cawnpore is inclined to think that the authorities ought to have acted with greater promptitude.

**Mr. O. S. Ranga Iyer:** Why did not the authorities in Cawnpore act with greater promptitude?

**Mr. Arthur Moore:** I do not know. We do not know.



**Mr. O. S. Ranga Iyer:** You read your own newspaper.

**Mr. Arthur Moore:** What I resent, Sir, is the suggestion of the Hon. ourable Member that there were no European interests in Cawnpore which were in danger and for that reason the Government did nothing . . .

**Mr. O. S. Ranga Iyer:** I made no such statement. What I said was . . .

**Mr. Arthur Moore:** I will not give way . . . .

**Mr. President:** Order, order.

**Mr. Arthur Moore:** The European community in Cawnpore has suffered heavily indeed in these disorders. I do not know if any lives have been lost—I do not know it yet; but what I do know is that a great deal of damage has been done to property. Therefore, the whole argument of the Honourable Member falls to the ground, but there seems to be some agreement in the European community in Cawnpore that there was some indecision shown in the earlier stages by the Government . . . .

**Mr. O. S. Ranga Iyer:** Fatal indecision, if you please, resulting in the loss of so many lives.

**Mr. Arthur Moore:** As regards that, we are not in a position to sit in judgment. We do not know all the facts, but this we do know, and it must be obvious to all, that the Government was not in a position on that day to reinforce particular points with extra police, because of these demonstrations which were being forced by one particular party, (I mean these enforced *hartals*). The likelihood of those demonstrations causing a tension in all parts of the country was known, and therefore it was impossible to denude one town for the sake of another. That was obviously a difficulty in which the Government was placed. As I said, we do not know all the facts, and we do not wish to sit in judgment. We all deplore the terrible happening, and I think most terrible also is the spirit in which it was treated by the Honourable Member.

**Mr. A. Das** (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): Sir, I do not think it is proper for Honourable Members of this House, in considering this motion, to take Cawnpore as an isolated instance. There have been similar instances within the last months unfortunately in other important districts like Benares, Mirzapur, Agra and others. I think it is useless or futile to discuss the causes of those outbreaks. We all know that some party, either Hindus or Mussalmans, were to be blamed, and once the matter gets out of the hands of the leaders and it gets into the hands of a few misguided persons, then it becomes a question of mob psychology, and where mob psychology is concerned, it is impossible to apportion the blame to any particular community, because it is the mob which is concerned—it does not consider the question of numbers or community; any person who gets into his misguided head to hit a man behind his back will do so . . . .

**Mr. K. Ahmed:** What was the motive behind this trouble?

**Mr. A. Das:** I hope my friend will not disturb me.

The main point to which I want to draw the attention of the House is this. Although I agree with my Honourable friend sitting over there, who says that the responsibility lies with the leaders of both the communities to make the people understand that they should not indulge in such matters in future, is that the end of it? After we have said that, can it be said that we have discharged our duties? I submit not. One matter has not been brought out prominently in the debate, and I would like to refer to it, and it is this. Wherever there has been a communal riot, besides the leaders of both communities, the police as well as the district authorities are responsible to a great extent. Have the authorities ever taken any action, after those riots were over to bring the police and the district authorities to book and to warn them that, should any more riots take place in their jurisdiction, they would be transferred to some other place? On the other hand what do we find? After the riots are quelled, both the police officers as well as the district authorities are praised, and the Government also defend their action by saying that they have done their duty, and Government never try to censure the officers for what they have not done. That is one point which I wish to bring forward to the notice of the Honourable Members. I do not think that in the numerous riots that have recently taken place and in which a large number of innocent lives have been lost, Government have ever cared to take any disciplinary action either against the police officers or the district authorities for their failure to take prompt action. After the riots stop, what do the Government do? They either in this House or the Provincial Councils tell the Members that they have done all they could possibly do and that they could do no better; they were handicapped in this way or that way, which is all eye-wash. I submit, Sir, that is not the way to deal with riots of this character. If once a riot takes place in a district and the Government feel that the police officials or the district authorities have not taken action promptly to deal with the situation, then the officials are directly responsible for maintaining law and order in the district should be brought to book. The Government should take severe disciplinary action against such officials so that such riots may not take place in future. That is one suggestion which I wish to place before Government. Instead of saying that, what do the Government do? Instead of taking the responsible police officers to task for neglecting their fundamental duty of maintaining law and order, they merely come forward and say they were handicapped owing to this or owing to that reason and want to defend them? We all know that the Government were handicapped. But what have you done to prevent a thing like that happening in future? Simply expressing our inability to do this or that will not remedy matters.

There is one other point which has not been brought forward in connection with the Cawnpore riots. It has been suggested in the newspapers that I do not think the Government Member referred to it in his speech—that Mr. Ganesh Shankar Vidvarthi, whose loss we all deplore, while he was going into the disturbed area and had rescued a number of Muhammadan families from the hands of Hindu hooligans, was accompanied by a Deputy Magistrate and some police officers—I do not know to what community they belonged. After Mr. Vidvarthi had rescued two or three people, both the Deputy Magistrate and two constables who were in his company left him alone and departed to some other place. Was that a

[Mr. A. Das.]

proper thing to do for responsible police officers? I have not heard the Government Member say that the officers in question disregarded their duty in not giving assistance to Mr. Vidyarthi, but I have heard police officers say, when such riots take place, that they have got no orders to do anything in the matter. They generally stand as mere spectators and will not move an inch. Mr. Vidyarthi's case is an instance in point. Mr. Vidyarthi was himself accompanied by the Deputy Magistrate and two constables; he rescued some Hindu and Muhammadan families; in fact he seems to have rescued more Muhammadan families than Hindus and while he was doing that kind of rescue work, both the Deputy Magistrate as well as the constables quietly deserted him and left him in the lurch. Is that an action which the Government would tolerate? I do not wish to say anything more on the question, but I do wish to make a humble suggestion that the Government should not gloss over the whole thing whenever any riot takes place. For instance, last month a very severe riot took place at Benares and what did they do? They did not make any inquiry. If they had done so, they would have been able to find out to what extent the police were to blame, to what extent the district officials were to blame. So I submit in all such cases they should take proper action against the officials concerned and they should not shirk their responsibility in the matter.

**Bhai Parmanand Devta Sarup** (Ambala Division: Non-Muhammadan):

I am quite in agreement with my Honourable friend, Maulana Shafee Daoodi, that we should not have brought this matter before this House. The other day when a similar motion was brought before the House, I took exception to it and raised an objection. Today, again, my view was the same, I objected to this motion of adjournment. The Maulana Sahib has however stated that the water had gone too high, therefore he could not control his feelings and he wanted to speak out his mind before this House. I take this opportunity just to tell him that he is working under a very wrong impression in the matter, having been simply carried away by emotions. In the first place, I want to make it clear that the riot at Benares and the riot at Cawnpore were not communal at all. Though I admit that in consequence of what happened, the two communities took part in opposing each other, but if we go to the root cause of the trouble, we will find that it does not savour of communalism in the least. There was a period of Hindu-Muslim rioting some years back, as Maulana Shafee Daoodi himself has referred to it, that the origin of dispute, then was music before mosques, the sacrifice of a cow or some similar other thing. These were the things that touched the religious susceptibilities of one community or of the other, so they broke out in rioting. Those riots could naturally be called communal riots. But as regards the riots at Benares and at Cawnpore as I stated before, I would not call them communal at all.

Let us come to the origin of the riot in Cawnpore. On the next day after Bhagat Singh's execution, the Congress or a certain other group of youths called upon the people to observe a *hartal*. In Cawnpore it happened that some child volunteers went about and asked the people to close their shops. What I have to say is that this question of *hartal* was neither Hindu nor Muhammadan question. The Congress is

composed of the Hindus as well as Mussalmans. In a good many cities of the Punjab and of other provinces the Muhammadans also observed this *hartal*. Therefore, Sir, if child or boy volunteers go about and ask Muhammadan shopkeepers to close their shops, there is no question of communalism or religious susceptibility coming in it. These children it is reported were beaten or were abused by those shopkeepers. . .

**Mr. K. Ahmed:** Why did not the Muhammadan shopkeepers close their shops?

**Mr. President:** Order, order. The Honourable Member ought not to interrupt.

**Bhai Parmanand Devta Sarup:** They were free to do it or not to do it, that has nothing to do with the matter. Similarly, in the case of the riot at Benares, the question of the boycott of foreign cloth, was not a concern of the Hindus as such. Coming to Cawnpore, I have to say that Mr. Ganesh Shankar Vidyarthi, the President of the United Provinces Congress Committee, who was killed the next day after the breaking out of the riot, was the principal figure. I have been reading his life work in a prominent newspaper. It is said there that he was the most deadly enemy of communalism meaning thereby his hostility to the cause of the Hindus. It was also mentioned in that paper that in the elections of 1926 he was opposing a candidate who was supported by Pandit Madan Mohan Malaviya and Lala Lajpat Rai and he defeated him by a large majority. This fact was adduced to show that the man was not a communalist at all, that he was not a Hindu Sabhaitic, or Hindu in spirit. Then again we take his action during this riot. He was rescuing people on the 24th and 25th March. When he went first, he was accompanied by certain officials, but they had to leave him, I do not know why, but he continued the work of rescuing people in trouble. The report has it that he rescued about 150 Muhammadans in the Hindu Mohallas and brought them to safe quarters. He was accompanied by Hindu volunteers and then by a Muhammadan volunteer when he was stabbed. The volunteer earnestly entreating his co-religionists to abstain from the foul deed. He offered himself for being killed. He stood for Hindu-Muslim unity, and I want to submit this to you, Sir, that there was no Hindu-Moslem question in this whole affair.

If you read the report of the resolution of the Congress that was passed upon his death, you will find that the man died for a noble cause, namely, the Hindu-Muslim unity, and in trying to save the lives of Muhammadans in that riot. And among the Congress leaders who have passed that resolution are prominent Muhammadans. The Muhammadan leaders deplore this riot and deplore his death, and therefore, I say that the cause of this riot at Cawnpore in its origin is far from being communal. On the other hand, it is because certain people believed in observing *hartal* on a certain day. Among them, there may have been a larger number of Hindus, as the population of India has got a majority of Hindus, but along with them there are Muhaminadans also in the same proportion, and both of them are in reality jointly responsible for the happening. That is my position, that these riots are not communal. I objected to this motion being brought before the House for the very reason that we should not give them a communal colour. That was my reason,

[Bhai Parmanand Devta Sarup.]

Sir, but as the thing has come up, I want to say one thing more. Maulana Shafee Daoodi says that one community wants to dominate and force its will over another community. This, I submit, is not right. He says that he has got experience, and in the same way, I may say that I have also experience of many such riots. We all know what has happened quite recently in Sindh and East Bengal. Although I did not go to Dacca or Kishoreganj, I have been to Sukkur and I saw how the Hindus in 200 villages of one district had been utterly ruined by the dominating population in Sind. That is the reason why the people of Sind at this time are crying themselves hoarse against its separation from Bombay. All the same, Sir, I say that there is no question of one community being bent on dominating over another community. Some Muhammadans hold Congress views and observe *hartal*, while there are others who do not want to do so. Similar is the case with the Hindus. Then there are differences in views. Whenever this difference becomes acute, there is a clash. There are among us persons whether Hindus or Muhammadans, who give a communal colour and communal rioting begins.

I quite agree with my Honourable friend, I do not put the whole blame on the authorities. My view is that it is not the authorities who are responsible for this rioting. It is the public, who should be responsible for the keeping of peace and order. If the public do not realise their responsibility of helping to keep peace in the country, then no authority and no Government on earth can establish peace. I agree so far with my Honourable friend, Maulana Shafee Daoodi, but the question is, how can you bring it about? We have to change our mentality and see all things in their true colours. Where the Muhammadan religion is attacked or treated with disrespect, I can understand their rising in a riot against the Hindus. But the Hindus cannot be blamed where an independent body, consisting of both the Hindus and Muhammadans, wants that a certain thing be done in a particular manner. It is the Muhammadans who give it a communal colour and begin to riot and go on rioting, and the Hindus have to defend themselves. I would tell my Honourable friend, if he is really anxious, as he has said, for Hindu-Muslim unity,—and he has been trying to propagate this idea—I would be ever ready and most willing to co-operate with him in the matter so that both communities could come to a real understanding. (Applause).

**Mr. Muhammad Yamin Khan** (Agra Division: Muhammadan Rural): Sir, I have a lot of friends in Cawnpore both among Hindus and Mussalmans. I have been connected with Cawnpore for many years, and I have generally a larger number of friends among the Hindus than among the Mussalmans there. I had also the fortune of representing Cawnpore City and the Cawnpore district in the Council of State for two years. I am very well acquainted with them and I have got my sympathies with the people who have suffered in these riots. When we had this motion of adjournment, we wanted to talk on this matter in a different spirit and with a different motive. It has taken a different shape today. My idea in getting up and supporting this motion of adjournment in the morning was that this House might come to certain conclusions and by their speeches express such condemnation of this kind of riot, so that it may never occur again. I thought that the responsible Members of this House

would go deeply into the cause and try to ameliorate the feelings which exist today in the whole country. Riots have taken place in 3 out of the 7 cities of the United Provinces—Benares, Cawnpore and Agra. Only four cities have been left. I think it is no use our throwing blame on the Government or justifying Government for the part which they have played. We should try our level best to put a stop to this kind of affair by expressing our opinion and going deeply into the causes and trying to remove them. I do not think that any one in the House would deny that a section of the population has been responsible for creating this feeling in the country. There has been created a feeling which was bound to find vent in one way or the other. That feeling was created by the every day observance of *hartals* by force—not by persuasion. I have had experience of the *hartals* which have been observed. They have not been voluntary. On every occasion a band of young men go about the city asking the people to close their shops and so preventing them from earning their living. This is done on every slight occasion. This is becoming so common. Formerly we used to hear of these *hartals* once a year. Now every day there is a *hartal*. There is a certain limit to the patience of the people who have to suffer every day. These shopkeepers must earn their living for their families and children. On every little thing happening in the country, a band of young men go about asking people to close their shops. I could understand the *hartal* if it was voluntary. There are people who do not want to close their shops and yet they are compelled to do so and are thereby deprived of their earnings. This can be tolerated up to a certain limit and up to a certain time. India is at present in such a state that the people have not enough to eat. Agriculturists are dying. When the country is in that state, people are compelled to stop all work. This has been getting on the nerves of people. What happened in 1921 and 1922 is happening today, in exactly the same way. When you compare what happened then and what is happening now, you will find that they are exactly the same. I can blame the Government only for not putting a stop to all this kind of nonsense. They have not taken prompt measures to stop this when it started. These peaceful *hartals* end in violence and I appeal to Mahatma Gandhi and the Congress to see their way to put a stop to this kind of thing, so that what has happened in three cities of the United Provinces and two villages may not occur again.

**Maulvi Muhammad Yakub:** I quite agree with my Honourable friend, Bhai Parmanand, that it is a misnomer to call the riot at Cawnpore a communal riot. The riot in the district of Mirzapur may certainly be called a communal riot, where the whole adult Muslim population of a village was murdered ruthlessly, because it was considered that a Muslim zemindar had injured the religious feelings of the tenants of the village. But the riots at Benares and Cawnpore cannot be called communal. If they were communal riots, I would not have been so much disturbed. Ignorance is prevalent in India and the people of India are known to be very susceptible to anything against their religious feelings. The riots in Benares and the riots in Cawnpore were nothing short of deliberate and organised political attacks and it is for that reason that I am very much concerned. Here we have a politically trained body of educated young men who get military training like the Army. They put on *khaki* uniforms; they get physical training and they are out every day to force innocent

[Maulvi Muhammad Yakub.]

citizens to agree to their will and if they do not obey, they are put to death, their shops are looted and their houses are burnt. The great pity of it is that these occurrences are called non-violent. If this non-violent movement could end in these violent outbreaks, then I wonder what form the movement will take when it becomes violent. My strong objection to this movement is this, that not a single responsible Congress leader has condemned this sort of activity on the part of the Congress people (Hear, hear),—and what is the result? The result of this is that these people have got courage, they think that if they kill others, they gain their object, and that if they are injured or killed, they become martyrs; and therefore this sort of things is going on, and the Congress is sitting quiet, not taking any objection to this movement, and still they say that their movement is non-violent. (Hear, hear.)

**Mr. B. Das:** I strongly object to the Congress being libelled in this manner.

**Maulvi Muhammad Yakub:** I hold the Congress alone responsible for these things. The main body of the Hindus is quite sound. The uneducated Hindus and Mussalmans—not those who are politically minded—are still the friends of each other, they call themselves brothers and cousins, but it is these politically-minded Congress volunteers who want to dominate over others, who want to impose their will upon others, who want to interfere with the free will and liberty of those who do not agree with them. If people do not agree with them, then they are prepared to take their lives by violent means . . . .

**Mr. B. Das:** I strongly object to these insinuations.

**Maulvi Muhammad Yakub:** Here is a statement which was issued at Karachi about the Cawnpore affair. In this statement they say:

“We deeply deplore the terrible tragedy at Cawnpore resulting in the death of Ganesh Shankar Vidyarthi, one of the Congress workers who was trying to rescue those who were in danger.”

Now, Sir, I am extremely grieved to learn that this noble soul was lost in this political riot. I have as much sympathy for him as any of my Honourable friends, but, Sir, I have a great objection to this statement this unsympathetic statement, in which there is not a single word of sympathy for the poor Mussalmans, men, women and children who were slaughtered. What is this? Is this the sympathy which the Congress want to show to the world?

**An Honourable Member:** Read on.

**Maulvi Muhammad Yakub:** I have read the whole thing, but I do not find that there is a single word of sympathy for anybody else except Mr. Vidyarthi, whose death I also sincerely deplore and for whose relatives I have the greatest sympathy. So, Sir, I say that while you have made a truce, you have withdrawn your forces, but the other side are, I say, not complying with the conditions of the truce, and probably I think the riots at Cawnpore were encouraged, because they knew that Government, bound by the terms of the truce, have withdrawn their forces. (Hear, hear.) Government have been blamed and Government have been charged for not calling for the military and for not using the armed police in time, but, Sir, we know in this very House Government have been condemned, so many times, for using military for the purposes of internal riots. (Hear, hear.) We have condemned Government, we have

said that the military force should not be requisitioned in order to subdue such riots. We have charged Government for not allowing so-called peaceful processions to pass through the city (Hear, hear), and for restricting their liberty. So the Government are on the horns of a dilemma. If they do this, then we lay the charge of repression at their door, but if they try to act according to the terms of the truce, then the result is what happened at Cawnpore,—and we charge Government for inaction. Sir, I charge the Government with this that they did not fully gauge the situation and that they did not see how the settlement would work and what would be the result if truces are arrived at without listening to the weaker community, and behind their back.

**The Honourable Sir James Orerar** (Home Member): Mr. President, at an earlier stage I took it upon myself to ask every Honourable Member to speak during the course of this debate with the very greatest sense of responsibility: and that being so, I feel that it is incumbent upon me to observe a special measure of restraint,—as indeed I am glad to recognize that the majority of the Honourable Members who have spoken have done. At this late hour it is not my purpose to speak, nor indeed could I speak, at any great length. I desire to reiterate and to re-emphasise what fell from my Honourable friend, Mr. Emerson, namely, the very deep concern, the very profound regret which Government feel at these lamentable events—regret and concern which I know is shared by the House—and what I am aware is equally shared by the House is the Government's feeling of very great sympathy for all those who have suffered, all those innocent sufferers—and I fear they have been many—from these tragic occurrences. Now, Sir, I would like to say at the outset, that Honourable Members will doubtless recognise that we are not as yet in full possession, nor can we for some time be in full possession, of all the details of the events of the last few days in Cawnpore. As has been pointed out by the Honourable Member who preceded me, the first, the most essential and the most indispensable duty of all those who are concerned with affairs in Cawnpore must be the restoration of a stable state of order and tranquillity. To that all energies must be directed, and for that all available forces must be conserved.

**Mr. K. Ahmed:** But what about the damage?

**The Honourable Sir James Orerar:** And for this reason I cannot take upon myself, because, my information is admittedly incomplete, to answer authoritatively the various allegations that have been made in the newspapers or been placed before the House derived from some such sources. I cannot undertake to do that because my information is not yet complete. But my information, Sir, is sufficiently complete for me to speak, with regard to the charge that the Local Government and its officers failed to deal with the situation promptly, effectively and with all the resources at their command, and that allegation, I maintain, my information is quite sufficient to refute. Now, Sir, when events of this character take place, it is very easy, and perhaps it is very natural, for the public or for individuals to say, "Well, these events have taken place; surely it must have been perfectly obvious to the authorities that they were going to take place"; and that proposition can, without very much difficulty, be enlarged and extended to the supposition that it was perfectly obvious that these things were going to take place and the authorities were lamentably to blame for not having taken the necessary



[Sir James Crerar.]

precautions. But, Sir, that is not the way that things actually happen. On the contrary, the common experience in relation to disturbances of this character is very much to the contrary. Those of us who have had personal and direct experience of disorders of this kind know—indeed, I think many Honourable Members of the House who have not had any direct, personal responsibility for such things must realize, that these things most commonly blow up like a tropical storm. Very frequently, indeed, the occasion may be—though in this case it was not—a trivial and an almost irrelevant incident the consequences of which no wit of man could possibly foresee; and I think therefore, Sir, that Honourable Members who are disposed to be critical, on information which is either inadequate or inaccurate, have to consider whether the position could possibly have presented itself so clearly and so plainly and so obviously to the authorities at Cawnpore. They must consider whether there was any reasonable apprehension of the occurrence of such events as unfortunately did actually occur. However, that may be, I must also remind the Honourable Members that, with the police force and the other forces of law and order, constituted as they are and disposed as they are, it is physically an utter impossibility for the maximum number of police or military to be invariably present at the particular spot where the maximum requirements may arise on a totally unexpected occasion. What can reasonably be required from local authorities is that they should form as speedily as possible a proper estimate of what is likely to occur. Having done so, they should not take panicky measures, of which they have often been accused, nor should they take unduly drastic measures, of which they have also often been accused but they should arrive at a judgment, on a reasonably considered assessment of the position, as to what is required and they should take the necessary steps as speedily and as promptly as possible. That, I maintain, is precisely what the local authorities in this case did do. I contend that, on the information before us that is the proper conclusion to arrive at unless and until more detailed information which may subsequently be at our disposal gives ground for modifying it. But that is the view which ought to be held by this House on the information before us. However, I do not intend to pursue that particular point.

Fortunately, as our latest information has indicated, peace has been restored at Cawnpore. I trust that it has been finally and definitely restored and the task which lies immediately ahead is to restore confidence, to relieve distress and to bring the principal and the real offenders to justice. I need not assure the House those duties will be carried out by the Local Government. But I would urge further that in carrying out those duties, the Local Government and the local authorities have a right to look for the co-operation and the assistance of the public. That point was brought out in the speech of my Honourable friend, Mr. Yamin Khan, and I should like to take this opportunity of reinforcing it. In the past, Sir, it has been my experience, and I am sure it has also been the experience of many others whose unfortunate duty it has been to deal with matters of this kind,—and I am the first to acknowledge it,—that we have received very great and very valuable assistance from leading men of the various communities that may have been involved, either in preventive measures, where prevention was possible, or in accelerating

the restoration of peace and confidence and normal conditions. In the difficult task which lies before the local authorities in Cawnpore, I feel sure that they will have the assistance to which they are entitled, and which I am confident, will not be withheld. If the restoration of peaceful conditions in Cawnpore is not to be more than temporary, it must, I submit, be based not simply on coercive or preventive action on the part of the authorities but on a healthy and emphatic re-assertion of public opinion. Not only to inculcate the extreme folly, the great injury and suffering inflicted by these incidents, but to ensure that public opinion will set against any reiteration of such events and that respect for the authority of law will be restored, are the immediate necessities of the position. And for that, as I said, the local authorities must look, and, I say once more, I feel sure they will not look in vain, to the assistance and the support of all enlightened men of goodwill, whether Muslims, Hindus or of any other community.

**Mr. K. Ahmed:** Will Government try to indemnify the loss and damage done to the people who are killed?

**Maulvi Muhammad Yakub:** Have Government caused the loss?

**The Honourable Sir James Orerar:** Now, Sir, I have placed upon myself the injunction that I shall, so far as possible, refrain from touching upon any matters of controversy. And what I propose in the few minutes which remain at my disposal is to touch upon matters which I hope will not be matters of controversy. I said just now that if the peace which has now been restored in Cawnpore is to be durable and stable, it must be confirmed by the healthy re-assertion of public opinion, and not merely by punitive or preventive or coercive measures on the part of the Government. More than one speaker in the course of his speech has pursued that argument to what I felt was an impressive and a logical conclusion. I am not concerned to join issue between what fell from Maulvi Muhammad Shafee Daoodi on the one hand, and Bhai Parmanand on the other because I think there was some essential unity in substance, though their points of view might be different. Maulvi Muhammad Shafee Daoodi, at any rate, struck what to me appeared to be a note not only of wisdom and of sagacity, but of logic and common sense. He pointed out that, whatever lessons might be drawn from the late lamentable events in Cawnpore, whatever measures have been taken to deal with those events while they were in progress, and whatever immediate measures now may be taken for the re-establishment of peace in Cawnpore, there was a deeper and a larger problem concerning the country. He pointed out how essential it was in the interests of India, with regard not to any temporary, or incidental differences that may arise, but on the great points of principle that are involved, that there should be peace and unity not merely superficial, not merely external, but an internal and a genuine peace and unity between the principal communities that inhabit this country. Now, Sir, it is not my purpose to follow Maulvi Muhammad Shafee Daoodi in his precise application of that general proposition. But the general proposition itself I do most heartily endorse.

**Mr. President:** Order, order. It is now six o'clock and the House stands adjourned till 11 o'clock tomorrow.

The House then adjourned till Eleven of the Clock on Tuesday, the 31st March, 1931.



# LEGISLATIVE ASSEMBLY.

*Tuesday, 31st March, 1931.*

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The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

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## MEMBER SWORN:

Mr. Rama Shankar Bajpai, O.B.E., M.L.A. (Government of India: Nominated Official).

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## QUESTIONS AND ANSWERS.

### ABOLITION OF THE POST OF PASSENGER SUPERINTENDENT ON RAILWAYS

1168. \***Dr. Ziauddin Ahmad:** (a) Are Government contemplating to abolish the post of Passenger Superintendent?

(b) At what stations have those posts been abolished? On what principle selection of station has been made?

(c) Have Government arranged for the supervision of comforts of the third class passengers? What arrangements, if any, have been made?

**Mr. A. A. L. Parsons:** (a) Government have no definite proposal under contemplation for abolishing the posts of Passenger Superintendents.

(b) Government have no information that these posts have been abolished at any stations, but with the present need for drastic economy, it is possible that Railway Administrations have reduced the number of such posts.

(c) As previously stated, Government are not aware that the number of such posts has been reduced, but if they have been, the interests of passengers will no doubt be supervised by other members of the staff such as Station Masters, Platform Inspectors and Guards.

### TRAVELLING ALLOWANCE FOR RECORD SUPPLIERS AND DUTRIES OF THE IMPERIAL RECORD DEPARTMENT.

1169. \***Pandit Satyendra Nath Sen:** (a) Is it not a fact that the record suppliers and dutries of the Imperial Record Department moved to Delhi in the same period as the staff of the Director-General of Posts and Telegraphs, *viz.*, in October, 1926?

(b) Is it a fact that the record suppliers and dutries of the office of the Director-General of Posts and Telegraphs were given the travelling allowance admissible to the third class superior servants?

(c) If the replies to parts (a) and (b) be in the affirmative, will Government please state why the same concession was not granted to the record suppliers of the Imperial Record Department who also moved in October, 1926?

(d) Is it a fact that the record suppliers of the Meteorological Department, who moved from Simla to Poona in February, 1928, were also given the concession referred to in part (b) above?

(e) If the reply to part (d) be in the affirmative, will Government please explain the meaning of the last sentence (beginning with "It was realised after this") in the answer given by Mr. J. A. Shillidy to my starred question No. 962 on the 16th March, 1931?

**Mr. J. A. Shillidy:** (a), (b) and (d). The reply is in the affirmative.

(c) and (e). With your permission, Sir, I shall deal with parts (c) and (e) together. Sanction to the payment of travelling allowance at 4th grade rates to the staff of the Imperial Record Department had been given before the concession of travelling allowance at 3rd grade rates mentioned in my answer to part (c) of question No. 962, dated the 16th March, 1931, was sanctioned. Later, when the daftries and record suppliers of the Imperial Record Department submitted a representation asking that a similar concession should be accorded to them, their representation was rejected as it was realised that an unsatisfactory precedent was being created and it was therefore decided not to extend this concession to any other department.

## MOTION FOR ADJOURNMENT.

### FAILURE TO PRESERVE LAW AND ORDER IN THE PEGU DIVISION AND TOUNGU DISTRICT OF BURMA.

**Mr. President:** Order, order. I have received notice from Mr. Jehangir K. Munshi that he proposes to ask for leave to make a motion for the adjournment of the business of the House today for the purpose of discussing a definite matter of urgent public importance as follows:

"The Government of Burma's failure to preserve law and order and to protect the lives and property of the people living in the Pegu Division and in the Toungu District of Burma."

I have to enquire whether any Honourable Member has any objection to this motion.

**The Honourable Sir James Orerar** (Home Member): I take objection to this motion. The Local authorities are taking the most strenuous measures to preserve tranquillity in those areas. I submit that premature discussion on information which must necessarily be incomplete could only add to the difficulties of the Local Administration and might exasperate feeling with very undesirable and dangerous results.

**Mr. President:** Objection has been taken. I would request those Honourable Members who are in favour of leave being granted to rise in their places. (21 Honourable Members stood up). As less than twenty-five Members have risen, I have to inform Mr. Munshi that he has not the leave of the Assembly to move his motion.

## THE WHEAT (IMPORT DUTY) BILL.

**The Honourable Sir George Rainy** (Member for Commerce and Railways): Sir, I move that the Bill to impose a temporary duty of customs on the importation of wheat be taken into consideration.

At this period of the session, Mr. President, I doubt if any of us take the same interest in the eloquence of each other as we did at an earlier period, and therefore, while I shall try to explain clearly what the object of this Bill is and why it has been introduced, I will endeavour to put the case as concisely as is reasonably possible. In particular as regards matters on which a subsequent opportunity will occur for explaining the Government position at the time when specific amendments are moved, I will, as far as possible, reserve what I have to say until those amendments are reached.

Perhaps, I can best begin by going back a little and explaining how the present situation has come into existence. During the three years upto 1927-28, the importation of wheat into India averaged about 50,000 tons a year, and the whole of that wheat was taken, I believe, by the mills at the ports. Even that quantity of wheat as compared with the pre-war figures was a substantial increase because for a period of years before the war, I think I am right in saying, that the imports were negligible. Then came the two years, 1928-29 and 1929-30 when, owing to short crops all over Northern India, particularly in 1928-29, the actual quantity of wheat produced in the country was less than the consumptive demand, and very substantial quantities of wheat were imported from abroad to fill up the gap. In 1928-29, the imports were over 500,000 tons, and in 1929-30, I think, over 350,000 tons. No objection to these imports was made at the time, and indeed I think it is obvious that, when there is an actual shortage of food grains, no one would wish to restrict the imports and thereby affect very seriously the interests of the consuming classes. Then in the Spring of last year, in April and May 1930, a big change occurred. Instead of a short crop, there was what I believe to be the record wheat crop that India has ever produced, so far as our statistics show. The total production was estimated at between  $10\frac{1}{2}$  and  $10\frac{1}{2}$  million tons. So far as we have been able to estimate in a normal year, with wheat at the prices which have ruled during most of the post-war period, it does not seem likely that the consumption of wheat in India can much exceed 9 million tons, and on that basis, the natural result that might have been expected to follow the very big crop of 1930 was a large export from India on a scale very much greater than has actually occurred in any year since the war except 1924-25. During the first six months of the year, from April to October, there was a substantial export of wheat, though not perhaps on the scale that might have been expected. Up to date the total amounts to about 190,000 tons, much the greater portion of which was exported in the first six months of the year. For while there was a bumper crop in India, the crops in the other great wheat-producing countries of the world such as North America, Australia, and the Argentine have also proved to be very large crops, with the result that the world price of wheat has moved steadily downwards. For a time the Indian price fell with the world price, but about the end of last October or the beginning of November, a somewhat remarkable phenomenon occurred, because the Indian price began to

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lose its relation with the world price and to an unexpected extent showed a power of resistance as if a level had been reached at which those who had wheat were not prepared to sell. I have said that this was a somewhat unexpected result but on the other hand although the price in India today is well above export parity and exports therefore cannot take place, yet in the great wheat markets of Northern India the price today is I believe lower than any price that has been recorded for something like 30 years. It has gone down to very low levels indeed and has reached a level where the return to the cultivator must be very small. Now obviously that created a position in which it became necessary for Government to consider what measures were possible to assist the cultivator as far as that could be done. Now, at this point there is one particular matter which I think it is desirable to make plain. If Indian wheat were being freely exported today, and if the price of wheat in India were moving closely with the level of world prices then an import duty would be entirely nugatory and could produce no effect at all. In the first place if that were so, it is very improbable that any considerable imports would take place in any part of India. And even if they did, all that it would mean would be that the competition in the export markets would *pro tanto* be reduced to the extent to which in some of the Indian markets remote from the wheat-growing areas there was a certain importation of wheat from abroad. So long as prices are at a level at which exports are taking place freely, an import duty for the purpose of assisting the cultivator can produce no effect. It is quite true, it can be argued, that it will do no harm, but equally it will do no good, and it was precisely the fact that Indian wheat prices had ceased to hold a clear and distinct relation to world prices and that export had altogether ceased that raised the question whether in those circumstances it was not desirable to impose an import duty.

Now, Sir, I think it is well that I should explain, as far as I can, what in the view of Government an import duty can do in the existing circumstances and what it cannot do. A protective duty naturally operates in two different ways. In the first place it restricts the market for the imported article and it enlarges the market for the indigenous article. That is one result that you may naturally expect from a protective duty. In the second place, under normal conditions, one would expect the price of the indigenous goods to go up to the full extent of the duty. That is the principle on which all our protective duties so far have been put forward and in fact they have actually worked on that way. But the reason is that in all the cases we have hitherto had to deal with it is the cost of importation which regulates the price in India. If you make the imported article more expensive then inevitably the price of the article made in India will go up. But unless that condition is fulfilled, unless it is the cost of importation which is the regulating factor, then whatever duty you impose cannot have that result. That condition is not satisfied today in the case of wheat. It is not the cost of importation which is actually regulating the price of wheat in the markets of Northern India, and that is rather significantly shown by the fact that, notwithstanding the fact that a very heavy duty came into force from the date this Bill was introduced, the price of wheat in the Punjab markets is not higher, but is if anything a little lower than it was at the time of the introduction of the Bill. Now, the reason why

the price of wheat in India has not increased as a result of the increase in the cost of imported wheat is mainly the existence of a large surplus stock of wheat in Northern India today. What the amount of that surplus is it is extremely difficult to say. One of the estimates which was put forward in a Government communiqué as long ago as last July was something like a million and a quarter tons. That estimate was arrived at on the basis of the normal consumption of wheat, wheat being taken at a certain price—the average post-war price—and the statistical figures of the last 5 or 6 years showing the net imports or the net exports. But that estimate did not take account of, and could not take account of, two other factors. One of those factors is that when food grains are cheap, you may naturally expect that consumption will be greater than when food grains are dear. And in the second place it did not and could not take account of the fact that when wheat is relatively cheap as compared with other food grains, then there will be a change-over to wheat from the other food grains and the consumption will go up. I believe I am right in saying that for the past eight or nine months, that has been very much the condition of things in Northern India, and I remember several months ago I was informed that in one district in the Punjab where relief works were still being carried on on a small scale, the whole of those in receipt of relief were being supplied with wheat because it was the cheapest grain there was. I mention that because once in the Government communiqué an estimated figure is given as the amount of the surplus, then the figure gets into peoples' minds and they are rather apt to accept it as gospel. It is very doubtful, I think, whether the surplus can be as large as we were originally inclined to put it; but if it is smaller, it is quite uncertain how much smaller it is—all that we know definitely is that it is substantial. I do not think there is any question about that. It is a substantial surplus; but we have found it impossible to arrive at a trustworthy figure. If that be so, if there is a substantial surplus of wheat in existence in Northern India, then as long as it exists it will tend to hold down prices, and until it is absorbed it is impossible for any import duty that might be imposed to operate upon the price as it would if the price depended on the cost of importation. Therefore at the present moment the advantage to the cultivator which can result from the duty is mainly this that it does to a certain extent enlarge the market in which he can sell his crops.

The view Government took on these facts was that it was worth while to introduce this Bill, even although for the time being its objective is limited, namely, to secure, as far as can be done without injustice to other interests which have to be considered, the Indian market for Indian wheat. Having reached that decision, they felt it was desirable that the amount of the duty should be fully adequate to secure the object in view. They did not feel that it was possible to proceed in the way in which the Tariff Board usually proceed, when they make inquiries about protective duties, because on the one hand it is extraordinarily difficult to determine what is the fair selling price for Indian wheat, and even if it were possible to determine it there is no means available at the moment by which it could be secured. In the second place, it was quite impossible to ascertain for more than a very few months ahead the probable price at which wheat would be imported. It is a totally different matter when you are dealing with the great agricultural products from what it is when



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you are dealing with manufactured articles. Once the seed is in the ground, then, given good weather, you will get a certain quantity of grain at the time of harvest, and that quantity has got to be disposed of somehow in the world's markets. The price at which wheat may be selling nine or ten months ahead depends entirely on the North American crops of the coming Summer. Any attempt to adjust the amount of the duty to any theoretical figures seemed to the Government of India to be doomed to failure, and therefore they thought the best way of dealing with the situation was to impose a duty which would clearly be effective for its object, namely, to secure the Indian market for Indian wheat, and to impose it for a year only, because the situation may change so materially in the course of the year that the circumstances which may have to be faced a year hence may be totally different from what they are today. There was the less objection to this course because, as I have already explained, so long as there is this large surplus of wheat hanging over the markets of Northern India, for so long the price of wheat in India will depend on the demand and supply in India, and the world price of wheat is not the governing factor.

These were the main points which Government took into consideration in dealing with the matter. As I have already said, I propose to reserve most of what I have to say about the amendments on the paper to the time when these amendments are reached. I will, however, say one or two words about two clauses of the Bill.

Clause 3 of the Bill was included because of the peculiar position occupied by the mills at the ports. Ordinarily when a protective duty is imposed, it takes effect at once and no concession is made on the ground that there are merchants and others who have already placed on and the reason for that is this, that in the ordinary case the price goes up to the full extent of the duty imposed, and those who have placed orders ahead can ordinarily expect to dispose of the articles they are bringing into the country at a price high enough to repay them for the cost of the additional duty. The abnormal feature in the present case is that, while this surplus of wheat exists in Northern India, the imposition of the duty cannot be followed by a corresponding increase in the price, and if no concession were made, then the whole burden of the additional duty—and it will be a very heavy burden, it amounts to Rs. 40 per ton—falls upon the mills, and as they cannot get the money back from their customers, they would have to meet it themselves by payments out of capital. Government felt that this was an entirely abnormal situation for which an entirely abnormal concession was necessary.

That is all I propose to say on that point at present, though I shall have more to say when the amendments relating to this point come up.

The other point I should like to explain now is about clause 4. It is obvious that once the surplus is absorbed and the duty becomes fully effective in raising the prices of wheat, then a question must arise which Government are bound to consider as to whether a duty as heavy as the duty which this Bill seeks to impose would not be too severe upon the consumer. That is a point that will have to be considered. Now, if we knew accurately what the surplus of wheat in Northern India is today,

and, if we could estimate accurately what the consumption of wheat was likely to be, then with these precise data before us, we might have been able to adjust the amount of the duty so as to avoid the need for any special provision. But as we cannot get these data,—and there are no means by which we can get them—it seemed necessary to take power for the Governor General in Council to reduce the duty if necessary when it appeared or if it appeared,—it may not happen at all, we cannot foretell the future course of prices,—but if it appeared that the duty was becoming a serious burden upon the consumer, the Governor General in Council should have power to relieve him of that burden. That, Sir, is the object of clause 4, and that, Sir, I think, concludes all that I need say at this stage in moving that the Bill be taken into consideration.

**Mr. C. C. Biswas** (Calcutta: Non-Muhammadan Urban): Sir, I move:

“That the Bill be circulated for the purpose of eliciting opinion thereon by the 21st May, 1931.”

Sir, when I came to this Assembly, I had thought that here was a place where the lion might lie side by side in peace with the lamb, but it seems, from what little experience I have had of this House, that the place of the one is inside the other. The process commenced yesterday, and it is still going on, and we are not yet sure that we shall not see more of it as we proceed. It seems, Sir, that the Bengal lamb exists to be devoured by the Punjab lion; all the same. I desire to tell my Honourable friends coming from the Punjab or from other parts of India that the lamb is not the only animal which Bengal can boast of. There is the Bengal tiger, and remarkable as the phenomenon may be, even the lamb may sometimes be metamorphosed into the tiger. (*An Honourable Member*: “As it is today”.)

**Mian Muhammad Shah Nawaz** (West Central Punjab: Muhammadan): Separate yourself from Indians.

**Mr. C. C. Biswas**: My friend says, separate yourself from India. It is all very well to take up that high and lofty attitude when you have more to gain than to lose. But if my friends will place themselves in the position of those whom I have the honour to represent in this House, I am sure we shall hear a different tale from that side of the House.

Sir, turning now to the Bill which is before the House, what I say is this. I have listened very carefully to the speech which the Honourable the Leader of the House has just made, and if any arguments were needed as to why this Bill should not be proceeded with, we could not have a better and more convincing case put before us for the purpose than that speech. My friend has admitted quite candidly that there are no definite figures upon which we can proceed. Everything is in the region of conjecture; we have got to take things for granted. Statistics such as there are and such as Government themselves had at one stage put forward, are now to be discarded as “untrustworthy”. I believe that is the expression which my friend himself had used. The figures which were given in the Government communiqué last year as to the available exportable surplus of wheat in the Punjab, we are now asked to believe, are not to be accepted as accurate, because there were certain factors which had not been taken into account. That only strengthens and confirms the suspicions that we have felt that figures in the hands of experts on the Treasury Benches can always be made to tell any tale

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they like. Sir, what guarantee is there that the statement which my Honourable friend is now making will not be withdrawn at the earliest opportunity when it suits him to do so hereafter?

What is the reason which is put forward by Government for introducing this Bill? It is for the purpose of securing as large a part of the Indian market for Indian wheat as possible,—a very laudable object no doubt. The purpose is to afford relief to those who are in distress today in the Punjab owing to the abnormal level of prices. Well, Sir, I venture to submit that before you do anything of that kind, you must try to realise the consequences of the policy which thereby you are seeking to lay down. I believe I am correct in saying that for the first time now since the Fiscal Commission reported, a suggestion comes from Government that there should be a duty on agricultural produce. India, Sir, as we all know, is an exporting country so far as agricultural produce is concerned, and the policy that has therefore been followed in connection with agricultural produce is not to impose any protective duties, not to impose any fresh burdens which would tell on the consumer, but to take off the burdens wherever such existed. At the time when the Fiscal Commission wrote their Report, I believe there was a duty of  $2\frac{1}{2}$  per cent. on food grains, and it was in 1925 that in pursuance of the recommendations of that Commission, that duty was abolished. There is now going to be a reversal of that policy. My friend will say that we are now living in abnormal times, and that what we are doing is not to be regarded as a precedent in any sense that it does not really mean any change in the fiscal policy of the Government. I do not know how far we can accept a position like that. It might be for aught we know a thin end of the wedge which the Government are now trying to drive in, because the Government hope to be able to count on the support of a certain section of the House. Whether it is temporary or not, I submit that the implications of the new policy are so grave and so serious that the matter requires to be more carefully considered. I do not refer to its examination by Government; I will assume that the Government have examined it with all the care and attention which they are capable of. But I say that it requires to be examined very carefully on the floor of this House by the non-official Benches, because once this policy is accepted even as a temporary expedient, the non-official side of the House stands to lose a great deal, if the experiment were to be renewed in the matter of some other commodity.

Sir, in Bengal we have been suffering from an over-production of jute and rice, but we have not yet heard of any steps being taken by the Government in order to give any relief to the home producer of these commodities. The Punjab seems to be in a much happier position, and possibly the counsels of the Punjab are much stronger than those of other provinces in the Government of India at the present moment. I do not envy the Punjab its good luck, but the good fortune of the Punjab is the misfortune of the rest of India. (Laughter.)

**Mian Muhammad Shah Nawaz:** Migrate to the Punjab and you will see what the conditions there are.

**Mr. C. C. Biswas:** My Honourable friend asks me to migrate to the Punjab. I thank him for the invitation, but I do not relish very much the prospect of being devoured, and I will not walk into that trap. So,

I say that this protective duty is against the policy which this country has, after mature deliberation, accepted in regard to agricultural produce.

My voice is weak, my words are weaker and therefore, I will only take the opportunity of reading from an authority which I shall presently refer to. If you are going to have protective duties on agricultural produce, what will be the result?

"As long as India is mainly an exporting country as regards agricultural produce, then two things have to be borne in mind; one, that the opportunities for assisting agriculture by protective duties will be very few, and the other is that we are in a very vulnerable position if other countries should wish to take the kind of action which we are frequently asked to take. And I ask the House to remember that it is a game at which more than one can play."

Sir, don't be surprised when I tell you that this is what the Honourable the Leader of the House had himself stated here only so recently as the 12th March, 1931. I do not know why my Honourable friend in making his introductory remarks today put aside this aspect of the question altogether. Possibly he felt that his words were coming home to roost. Really speaking, protection is a game at which more than one can play, and India is placed in a very vulnerable position as regards that, and Bengal of all provinces stands to lose very much from an application of this doctrine. I am assuming for the present that the proposed duty is a protective duty. On that part of the question I shall have something to say presently.

Australia is the country from which Bengal at present derives its wheat to a large extent. Now, suppose Australia was to retaliate, who would suffer? Australia might retaliate against Bengal in the matter of tea, in the matter of gunny bags. Bengal is an exporter of these articles largely to Australia, and if we put up a barrier against Australia, so far as wheat is concerned, need we be surprised if Australia should take a leaf out of our book and put up a similar wall against Bengal in regard to those articles which Bengal now sells to Australia? Bengal's predicament may not, however, be the concern of my Honourable friends here, and Bengal possibly does not count. But we, who come from Bengal, have got to take account of that. We have to take account of the consequences which this policy will bring about so far as Bengal is concerned. My Honourable friend talked of securing the home market for the home product. I ask him, suppose some such remarkable thing happened that the level of world prices of wheat rose, then the producer in the Punjab and other wheat growing areas would naturally find it to their advantage to export the wheat to other countries and they would not then think of the consumer in the country: I ask in those circumstances, would Government be then prepared to impose a prohibitive export duty to secure the home market to the home consumer? That is a plain question which I wish to put to the Government Benches. Are you or are you not prepared, for the sake of protecting the Indian consumer, to impose an export duty on wheat, when as a result of the levelling up of the world prices, there is more and more export of wheat from India?

Sir, I can quite realise that the Honourable the Leader of the House, when he was making this motion, was fully conscious of these difficulties, fully conscious of the implications which were there in the position which he was trying to defend. That explains the somewhat halting manner

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in which he spoke, the half-hearted defence which he put up for something which he knew was indefensible. Take it from any point of view, you cannot justify a measure like this. Let us assume for the moment that the agriculturist in the Punjab is in dire distress owing to the fall of prices, and you are fired with the very laudable desire to alleviate that distress. By the way, I only wish that the Government had always shown similar readiness to come to the assistance of the Indian agriculturist in every other part of the country and on every occasion. Now, Sir, what is the measure of the relief you are seeking to give him, and how are you certain that the relief which you are seeking to give him may not after all turn out to be illusory, that you are not doing something for him which in the last resort will recoil on the poor agriculturist. My friend very cleverly refrained from giving us any figures regarding the available exportable surplus. All that he said was that there was a substantial surplus. I can quite appreciate his anxiety not to commit himself to any figure, although in July, 1930, Government were not deterred by any considerations from putting forward that figure at 1½ million tons. Now, suppose for the sake of argument that the exportable surplus is 1½ million, or 1½ million, as my friend, Mr. Hari Raj Swarup, in his speech the other day, when moving a token cut, gave us to understand. Whether it is 1½ million or 1½ million, how much of it are you going to find a market for in India by imposing this duty? What is the quantity of wheat which is now consumed in the principal ports of India, Calcutta, Bombay and Karachi? In the Statement of Objects and Reasons, the figure is put down as 4 to 5 hundred thousand tons. But my friend, for reasons which it is not hard to divine, kept back the information—how much of the 4 to 5 hundred thousand tons, which are annually consumed in these centres, represents foreign wheat and how much of it is Indian wheat. So far as Indian wheat is concerned, of course that quantity will continue to be absorbed in these centres. But your professed object is to displace the foreign wheat from these ports by means of this duty. Therefore it is very essential to know how much foreign wheat is annually consumed by these three ports. Well, we have got no figures from my Honourable friend, but from such information as I have been able to gather with the very limited resources at my disposal, I venture to think that that will not be a very substantial amount. I will only follow the example set by the Honourable the Leader of the House and content myself with saying that it is not very substantial. It is not for me to give figures. It is for me to obtain figures from my friends on the other side.

**Mr. K. Ahmed** (Rajshahi Division: Muhammadan Rural): Then why do you contradict?

**Mr. C. C. Biswas**: I am not contradicting any statement. My complaint is that information has not been given there. My Honourable friend did not state how much foreign wheat is annually consumed in Calcutta, Bombay and Karachi.

**Mr. K. Ahmed**: That is not a reason for your making this statement.

**Mr. C. C. Biswas**: I do not expect Mr. Kahiruddin Ahmed to support me. I know that if he supports me my case is lost. Therefore I say, in order to find out what is the measure of the relief which you may be able

to give to the agriculturists of the Punjab, you must have some idea as to the extent to which you are in a position to find a market and an enlarged market for him in India. Now, Sir, if that enlarged additional market which you are seeking to provide for him represents a very small proportion,—I venture to submit without fear of contradiction, notwithstanding my friend, Mr. K. Ahmed,—if the market which you are seeking to provide for Indian wheat is very restricted as compared with the total consumption, then, I say the relief is no relief at all, because there would still be left a very substantial amount of surplus to be disposed of, and that can be disposed of effectively only by making it possible for India to export it to other countries outside India. What steps have you taken or have you been taking or do you propose to take to stimulate and encourage the further exports of wheat from India? In that direction and in that direction alone the true remedy lies—not in restricting imports to a very limited extent. Sir, I ask my Honourable friend, the Leader of the House, to tell me whether the present low level of prices in the Punjab is due so much to the existence of huge surpluses there, or it is due to the world surplus. The Honourable the Leader of the House in his speech admitted that internal prices in India were governed by world factors. So long indeed as India has a surplus of wheat for export, it is the world price which will govern the price in India, and it would be idle to expect that an import duty would enable the Indian producer to get a higher price. Unless therefore, the world situation improves, it is hopeless to try to find out any palliative for the situation in India.

**Mr. K. Ahmed:** What is the reason?

**Mr. O. C. Biswas:** If my friend does not follow the reason, the responsibility is not mine. It is for Providence to endow him with brains.

**Mr. K. Ahmed:** That sort of argument does not help us.

**Mr. O. C. Biswas:** Sir, already, as the Honourable the Leader of the House informed us, the price of wheat in India is above world parity. If that be so, what chances are there of stimulating exports? And if prices are above world parity and you cannot send out these huge surpluses of wheat abroad, what do you gain by restricting the

12 Noon, very limited quantity of foreign wheat imported from outside? The natural effect would be only to hit the consumer, to make the lamb bleat more and more in agony and despair. Sir, that is the situation, broadly speaking, full of uncertainty, and this doubtless explains the presence of the safeguarding clauses in the Bill. This indeed shows that it is a half-hearted palliative, the Government knowing full well that it is nothing more than that. All the same, by doing this, you are doing all that you can possibly do to disturb settled trade. Referring to clause 4, my Honourable friend said that if, after inquiry at any subsequent stage, the Government were satisfied that this duty was excessive or was not necessary, the Government would be ready by executive order to take such steps by way of remitting or reducing the duty as they thought fit. I should like the Government to be a little more definite as to their policy in this respect. I ask in all seriousness, Sir, if you have such uncertain conditions, can trade thrive at all, can trade thrive under a duty which is liable to variation at uncertain intervals?

**Mr. K. Ahmed:** No doubt notice will be given in due time. There is nothing to be afraid of.

**Mr. C. C. Biswas:** I do not know, Sir, if my Honourable friends on the other side will agree to regard this as a protective duty pure and simple. It seems they fight shy of calling it a protective duty, because they have inserted clause 3. When I come to deal with the amendments, Sir, on clause 3, I shall have a good deal to say, about it. As my Honourable friend has reserved his remarks on these details, I too reserve my remarks for a later stage. Do you call it a protective duty or not? Whether you call it a protective duty or not, what is the object of the Bill in restricting imports to a limited extent? What effect do you expect from that? Do you expect, by this duty to raise the prices of wheat in the Punjab, or do you not? If you want to benefit the cultivator, you must see that he gets a higher price for his crop. I was told by some of my Honourable friends over there the other day that the cultivator is now obliged to sell wheat at a price very much less than it costs him to produce it. Therefore, Sir, if he is to have any real relief, the selling price for him must be raised. Do you or do you not anticipate such a result? The Honourable the Leader of the House has told us already, I think, that though this duty has been in force since the date the Bill was introduced, prices have not shown an upward tendency; on the other hand, prices have gone down. Sir, what does that mean? That shows, and that was the inference he drew, that there was a surplus waiting for an outlet. In other words, if the prices are going down more and more in spite of the Bill, and if there is still a large surplus waiting for an outlet, how, then, I ask, Sir, will you be in a position to prevent substantial quantities still coming into the market from abroad? You cannot. The duty becomes ineffective. If the prices in the Punjab fall more and more, then the foreign wheat, in spite of the duty, will be in a position to under-sell the Punjab wheat. You cannot benefit the cultivator at all. At the same time, you are not helping to stimulate the export of the available surplus from the Punjab. In a way, Sir, you will be merely placing further handicaps on the wheat export trade. The foreign wheat which you will displace from India will naturally try to find a market in other countries, and there, in those countries, the wheat which India will export will have to compete with that foreign wheat. Do you expect, Sir, that Indian wheat, in such circumstances, will be in a position to compete on favourable terms with the foreign wheat in those outside markets?

**Mr. K. Ahmed:** Yes, in so far as we do not pay the duty or tax,—certainly.

**Mr. C. C. Biswas:** Sir, you are not taking power to increase the duty to an indefinite extent. I know you have made it two rupees. Why, my Honourable friend has not explained; I had expected that he would do so, that he would explain what had led the Government to put the duty at this figure. We do not know how much margin there is there. Is it a small margin, or is it a big margin? Sir, I was only reading this morning a speech which H. E. the Governor of the Punjab delivered the other day, and in his speech His Excellency dealt with the wheat position in India. Sir, from that speech I gathered that very recently, I believe in December or January, the Government of India, at the instance of the Punjab Government, had allowed some concessions in internal railway freights for the transport of wheat to Karachi and Calcutta. That did help the despatch of increased quantities from the Punjab to these other places to some extent. May I ask my Honourable friends on the other

side why Government, if they are so anxious to ameliorate the condition of the poor cultivator in the Punjab, are not prepared to continue these concessions, or even to enlarge the scope of those concessions by way of remissions or reductions of railway freight? Of course, my Honourable friend, the Finance Member—he is not here—but I know he would put down his foot at once. The same is the case with the Railway Member, and it so happens that the Honourable the Commerce Member is also the Railway Member, and therefore he cannot think for a moment to introduce any measures which will mean a gap in the Railway Budget. The only other effective remedy which they can think of to give relief is, therefore, to find the money out of the pockets of the poor consumer! The consumer is always there to be fleeced and to be bled whenever you want money. I say, if you reduce the railway freights to a sufficient level, you can thereby encourage the movement of wheat internally as well as to the exporting centres, and you can at the same time avoid the consequences which would result from the adoption of an ill-thought-out and obnoxious fiscal principle.

**Mr. K. Ahmed:** Take the help of the Rates Advisory Committee.

**Mr. O. C. Biswas:** Sir, Calcutta, Bombay and Karachi no doubt enjoy some advantage. They enjoy some advantage because of their geographical position. I ask; is it the intention of the Government now to go back upon the principle which they have always accepted, namely, not to deprive any place in India of any advantages which it might enjoy by reason of its geographical position? Recently there was a representation from the flour mill industry in Bengal. The flour mills of Bengal had suggested certain measures by way of an alteration in railway freights which would place Calcutta wheat flour on more favourable terms in competition with the Punjab wheat flour. What was the reply which the Government gave? This is the reply which came from the Railway Department on the 24th June, 1925:

“The advantage which the Upper India Mills possess by reason of their location in the wheat producing area is a natural advantage and it does not appear to the Board that it would be in the interests of the railways or the public to attempt to nullify that advantage for the protection of the Calcutta mills by increasing the freight of flour despatched by mills which are favourably situated as regards their supply of raw materials.”

Sir, what becomes of this principle in its application to wheat? I believe, Sir, that the same principle ought to apply equally to the position of the Indian mills at the ports and to consumers in those areas. I do not know if Government are going to depart from their past policy in this respect. So, the position comes to this, that in order to find a very limited market for a very limited quantity of wheat which is grown in the Punjab, you are going to jeopardise the whole of the export trade of wheat. You are going to go back upon the principles which you had yourselves enunciated as a part of your fiscal system, namely, not to deprive any place of its natural advantages. Sir, is my Honourable friend going to say that Government policy henceforward will be that, if there is a surplus of production of any article in any part of India, the whole of the Indian market should be secured for the home producer? In other words, that imports will be allowed only in years of short crop when the home supply falls short of the home demand?



[Mr C. C. Biswas]

Then, Sir, there remains to consider the effect of this duty on flour. There is an amendment from Mr. Morgan to include the flour also within the Bill. But if that amendment is lost, what would be the result? If you impose a duty on wheat, naturally the Calcutta mills will have to get their wheat for the purpose of making flour at a higher price. That will necessarily put up the price of flour, and will make it difficult for this flour to hold its own in competition with foreign flour. So by trying to keep out wheat, you might indirectly help flour to come in from outside. In other words, in trying to remedy one evil, you may be introducing another at the same time. The Australian flour will be easily in a position to invade the Indian market, and the Indian flour will lose its markets both here and outside. Do you really want to encourage the import of foreign flour at the expense of Indian flour? Is that a consummation to be desired? I do not wish to say more, except only one word. Suppose the price in the Punjab falls as it has fallen, will it or will it not amount then to a practical prohibition of foreign imports altogether, and are you prepared, I ask Government to state candidly, to have a prohibitive duty?

**Mr. E. Studd** (Bengal: European): Sir, I listened with very close attention to the speech of the Honourable the Leader of the House in introducing this Bill, as I could not get away from the feeling that this was a measure which was being rushed upon us with possibly not sufficient consideration of the various interests involved right at the end of the Session, and I feel sure that the House will agree with me that a measure which seeks to impose a duty of 65 per cent. on an essential food-stuff is one which should not be passed without the most close and careful consideration. I was strengthened in the feeling that the measure was being pushed through somewhat hurriedly by the fact that, only a short time ago, on the 11th of last month, in answer to a question on the subject of the prohibition of the import of foreign wheat, or on imposing a duty, the Honourable Mian Sir Fazl-i-Husain gave some figures, most of which the Honourable the Leader of the House has quoted in his speech. He went on to say that:

"In these circumstances. Government consider that the prohibition of import would have had no effect on the internal price of wheat and would not therefore have assisted the cultivator."

An almost identical question was asked on the same day in the Council of State, and an almost identical answer was given, the only difference being that in that case the answer was that Government did not consider that the prohibition of import or the imposition of an import duty would assist the cultivator. I have listened anxiously to see what reasons the Honourable the Leader of the House would give to account for a change from that opinion in only just over a month. He has not been able to give us anything very satisfactory in the way of figures. We were at one time told that the surplus was estimated at between 1 million and 1½ million tons. The Statement of Objects and Reasons of the Bill estimates the annual consumption of wheat at the ports to be between 450,000 and 500,000 tons. It seems to me that any measure which merely tries to open these markets further to Indian wheat is still leaving out of account a very large surplus which has still to be disposed of. It has been admitted that Indian wheat at the moment is at a price which is above

world parity. While it may be possible to help the home market to take more wheat, I think it must be admitted that the ultimate surplus will have to be exported and can only be sold at world parity. The Honourable the Leader of the House stated that the advantage to the cultivator, which would be brought about by this Bill, would be the enlargement of the market in which he could sell. But I doubt whether it has been realised how very little enlargement, if any, of that market is possible. I do not propose to give you more figures than are absolutely necessary. The import figures of foreign wheat for 1928-29 and 1929-30 have already been given you. I am sorry that the Honourable the Leader of the House did not go on and give you such figures as are available for this year, because I think they are enlightening. Even on the 1929-30 figures, the import of foreign wheat was only about 3 per cent. of the Indian production, which is a very small percentage. Now, Sir, the figures up to the end of February, that is to say, for eleven months this year, show a very considerable decrease again in the imports of foreign wheat, the figure being 181,000 tons. Certainly the imports which have come in during March will not add very much to that figure. Out of that 181,000 tons, it must be borne in mind that there is a steady export of flour from the mills at the ports which they are able to carry on simply and solely because they are able to get cheap wheat brought in by sea. If you cut out that cheap wheat by putting on a high duty, that export trade will go. They will not possibly be able to hold their own with cheap Australian flour in the markets where they are at present able to compete. Therefore, out of 181,000 tons the actual quantity that would be used for consumption in the country is only just over 100,000 tons.

**Dr. Ziauddin Ahmad** (United Provinces Southern Divisions: Muhammadan Rural): Where did you get these figures from?

**Mr. E. Studd**: From the Indian Trade Journal.

**Dr. Ziauddin Ahmad**: I think it is 190,000 tons.

**Mr. E. Studd**: 181,000 is my figure. The exports were between 195,000 and 200,000 tons. Taking this off the amount of wheat used at the ports, we find that they have actually, for the first eleven months of this year, as compared with the same period last year, used 100,000 tons more Indian wheat; so that so far from there being the possibility of a market for 450,000 or 500,000 tons more of Indian wheat, there is only at the most a market for a possible 100,000 tons more. That, I think, Honourable Members will agree with me is a very small figure, and is not going to do much towards helping to dispose of this supposed large surplus in the Punjab. I have every sympathy for any move . . . . .

**Mian Muhammad Shah Nawaz**: Suggest a remedy.

**Mr. E. Studd**: . . . to help the cultivator, but the question is, whether it is in effect going to help him at all because at present the mills at the various ports have all of them bought all their requirements of wheat up till September or October next, so that even without this duty, there is not going to be any question of their buying any more wheat for nearly six months. I cannot see how under these circumstances this Bill is really going to help the Punjab cultivator. I have been asked to suggest a remedy. It does seem to me that the real crux of the situation is the

[Mr. E. Studd.]

question of railway freights. Railway freights were reduced temporarily from November, I think, from the Punjab to Karachi and from the 1st of February till the end of March from the Punjab to Calcutta. It has been said that those reductions did not help the situation and as far as Calcutta was concerned, it was not likely that they would because they came too late. The majority of the Australian wheat which has been bought was bought between the 15th December and about the end of January or the middle of February, and consequently the mills were not interested in buying any more wheat, and the reduction of freight did not make any difference. The reduction to Karachi however did make some difference. It is rather a remarkable fact that, after freights had been reduced from the Punjab to Karachi, the Calcutta mills bought a cargo of wheat and shipped it round by sea from Karachi to Calcutta because owing to the high railway freights, it was cheaper for them to get it that way than to get it down by train. At the present moment I believe the freight from Melbourne to Calcutta works out at something like  $7\frac{1}{2}$  annas a maund, and I think I am right in saying that the freight from Lyallpur to Calcutta works out to something like Rs. 1-3-0.

Now, Sir, I should be very anxious to know whether the local Governments concerned have been consulted and have been asked what their views were with regard to this measure. I cannot help feeling that they would very strongly oppose it on the grounds that it was affecting vitally the industries of the ports and that it was not in the interests of the consumer in their provinces. Reference has already been made to the Bengal cultivator and he is certainly to my mind in as bad, if not a worse, position than the cultivator of the Punjab. His jute and his rice are both a glut on the market.

Now, Sir, I do not wish to detain the House with a long speech, but I should just like to touch on the effects on the mill industry, and in doing so I should like to remind the House that that industry is very largely an Indian one. In Calcutta at any rate out of nine mills, five are Indian-owned and Indian managed, and of the other four, at least 50 per cent. of the shareholders are Indians. Until a few years ago, they used practically no Australian wheat at all, and they were only driven to Australian wheat on account of the fact that the freight on Indian wheat and flour was the same so that flour could be landed in Calcutta actually at a price below that at which it was possible for the mills to produce it. I maintain that that is hardly a right principle; it seems to me that raw material should always be cheaper to move than the finished article. My Honourable friend Mr. Biswas has referred to this in his remarks about the reference which was made to the Railway Board some years ago. It was not till after that that Australian wheat started to come in. Now, Sir, I do want to stress the point of the export trade in flour. At the present moment the mills at the ports are able to compete with Australian flour in Egypt, in Arabia, in the Persian Gulf and in various other places. There is also a very considerable export of flour to Burma, a matter of between 25 and 30 thousand tons per year. Owing to the cheap Australian wheat, that flour can be exported to Burma and can compete effectively and keep out at the present moment Australian flour. But it certainly will not be able to do so when this duty is put up. Only the other day I had a telegram from Burma pointing out that, with

this duty, unless flour was included in the Bill, Australian flour could be landed in Rangoon at Rs. 11 per bag of 200 pounds, whereas the cheapest that they could get Indian flour at would be Rs. 13 per bag of 200 pounds.

I do not propose to say much now on the question of exemptions beyond saying this that, as the Honourable the Leader of the House has admitted, it is impossible for mills for various reasons to recover the amounts of the duty. I should like to add one additional reason to those which he has given, and that is that they have all of them not only contracts for the purchase of wheat but contracts for the sale of flour on the same basis. Now, Sir, if they are not exempted on their wheat contracts, it is going to be a crippling blow to them. If they were to get no exemption, I venture to say that there is no mill at any port in India which will be able to stand up against it.

I do not think, Sir, that I need detain the House longer, but I trust that Honourable Members will think seriously over the figures that I have been able to give them before they give their decision on this Bill.

**Mian Muhammad Shah Nawaz:** Sir, in supporting the motion for the consideration of the Wheat (Import Duty) Bill, I am serious to sadness. In the first place I have to make a very serious complaint against the Government. In my Budget speech I asked the Government to prepare a Bill with a view to levying a duty on imported wheat. This was probably on the 5th March. I received no reply then. Towards the leg-end of this Session a Bill is now introduced and a motion for its consideration is made. Most of the Honourable Members of this House have left and we are now placed at the mercy of the Government and the Members from Bengal. I ask whether the Government seriously intends to give relief to the agriculturists. If it is true, and it is true, that the agriculturists are suffering from a dire calamity, then it is the duty of the Government to come to their help. If they cannot do so, let them admit frankly that the British administration, so far as the agriculturists are concerned, has failed in this country. Sir, it cannot be denied that a widespread distress and depression prevails among the agricultural population of India due to the fall in prices of agricultural products. The reduction in prices has taken place in wheat, cotton, maize, barley and in other agricultural commodities. One-half of the population of India is seriously affected. We are unable to pay land revenue and water rates; our expenditure has gone up with no incomes; we are incurring debts and the interest is piling up. Sir, it is a disaster of the greatest magnitude. A disaster in the shape of a universal fall in prices has come upon us like a thunder-clap. It is really an earthquake which has shaken the very existence of the agricultural population in India. Are Government going to view such a state of things with equanimity? Is it not their business to tell us how they are going to help us or what relief they are going to give us? If they cannot do that, they should cease to function. Sir, India is an agricultural country and the welfare of the Indians rests upon the contentment and happiness of the agricultural population. It is obvious that if one-half of the population is seriously hit, the other half cannot remain unaffected. If Punjab is affected let me tell my Honourable friends Mr. Biswas and Mr. Studd that they cannot stand aloof. They will be affected also. Are we going to kill the agricultural population of India? Are we going to kill the

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goose that lays the golden eggs? If you are going to kill them, then do so; do not torment us with this sort of Bill, this half-hearted measure. It is a case of ruination to the agricultural population. The agricultural population of India is honestly in liquidation. If a dog were to die in the lobby of this House, would you not run to its help? The position of the Indian agricultural population is virtually that of a dog dying for want of help. I ask my learned friends from Bengal, are they going to be so unkind to us? I ask my Honourable friends, the Members of the Government, are they going to be so merciless and cruel as not to delete clause 3? My Honourable friend, Mr. Biswas, said, "Oh, well, the Government are favouring the Punjab", forgetting that Bengal was enjoying the permanent settlement and the Punjab was not. I can say with equal propriety to the argument of my friend Mr. Biswas that we had nothing to do with the permanent settlement, and that we should either have the permanent settlement in the Punjab or the permanent settlement in Bengal should be done away with. The Bengal Members will then come to their senses. Then they will know where the shoe pinches. They go merrily along like a butterfly, but it is the toad beneath the harrow which knows where each pin prick exactly goes.

It has been said that one province cannot be favoured at the expense of the other provinces. I desire to tell you that Punjab has always been working in the interests of India as a whole. My learned friend, Sir Cowasji Jehangir, will bear me out when I say that there was a serious conflict between the Punjab and Bombay over the distribution of the waters of the Indus. A grave injustice has been done to the Punjab because, owing to the supply of water in respect of the Sukkur Barrage scheme from the Indus, all the irrigation works in the Punjab are withheld. Why? In the interests of Bombay and in the interests of Sind. The Punjab Government can justly claim their share of water from the Indus. The riparian owner of the Thal tract could claim water from the Indus. That was denied to us by the Government of India because they were all working in the interests of India, not in the interests of the Punjab. Then, Sir, my Honourable friends Mr. Studd and Sir Cowasji Jehangir suggested, "Oh, the millers will lose profits if contracts entered into before 1st March are not protected". But my reply is that we are not going to ruin the agricultural population of India to make a holiday for the millowners . . . . .

**Mr. E. Studd:** May I point out to the Honourable Member, if you ruin the mill it will not help the agricultural population?

**Mian Muhammad Shah Nawaz:** It will help you certainly, because it will bring in money to the import contractor and you are one of the contractors; at any rate you represent interests of the importers in this country. I know that fully well. Again the Tata Steel and Iron industry was in dark condition; we have given them relief. The mill-owners were in a bad state; we have given them relief. Have we not in the interests of India, in the interests of our own industries, imposed duties on cotton piece-goods? Are we not making cotton dearer so that our industries may prosper? Why should we have all these? Were they not in the interests of India as a whole and not in the interests of one community or one province? When people talk of the Punjab alone being hit, I cannot understand them. I say the whole of Northern

India is hit, and the whole of the agricultural population is suffering. If it is admitted that this suffering must be redressed and relieved, then we must find out a remedy. Mr. Studd admits that relief must be given, but he has suggested no real remedy. Has he got any constructive programme? Have the Government got any constructive programme or are we to be content with the destructive criticism that came forth from Mr. Biswas and my esteemed friend, Mr. Studd? One remedy suggested by Mr. Studd is to reduce the freight. He should tell that to the Honourable Sir George Rainy who has done very little in that direction. So far as the moving of wheat from Lahore to Karachi is concerned, undoubtedly the freights are reduced and it has made a little difference. But what about the freight rate from the Punjab to Calcutta? Is it not a fact that the Punjab Government was forced to enter into an unjustifiable agreement that the Punjab Government must make good the losses in case a certain quantity was not moved to Calcutta? Is this the way you are treating the Punjab? We helped you through storm and stress; we helped you in the Great War; we helped you in times of peace; we helped them whenever there was any calamity in the land; and now that the agriculturists are in dire distress the Government are indifferent.—if not callous? Please tell us so that we may know where and when to make a noise. Honestly, the agricultural population has been very hard hit; they do not make a noise; but they get no relief because they are not the agitators and revolutionaries. No Member of the Government can say that I am unfriendly to the British Government. By the tradition of my family I cannot be disloyal to the Government and an extremist. But here is a case to which I must seriously invite the attention of the House. Honestly I must do it, and I shall be failing in my duty if I do not press this point. The point is this, that there is a spirit of revolt amongst the agricultural population of India; they can no longer work the present situation. They can no longer keep quiet. They are greatly perturbed. As I said, the fight really centres round clause 3. It protects contracts entered into before the 1st of March or according to some amendment, those entered into before the 20th March. If you will not delete clause 3, the value of the Bill will be destroyed. It is no use telling us, as long as clause 3 stands part of the Bill, the agricultural population of India will be helped in any way. We do not know the nature and extent of these contracts; we do not know how much wheat is coming in; we know nothing, we are absolutely in the dark. I do not know whether those transactions which will be eventually scrutinised by the Government will be bogus or real; I do not know whether there will be a special tribunal or executive authority to see to these things. All sorts of contracts can be entered into; if I may be excused, I know traders will even now enter into some sort of bogus contracts. I therefore strongly urge the deletion of this clause 3. I reserve my argument till clause 3 comes up: I do not wish to go into details now. But I make it quite clear that, if clause 3 remains as it is now, the agricultural population cannot accept this Bill. Take it back or withdraw it; we will have no concern with it. We will not vote one way or the other on it.

The main question is whether India should exist as an agricultural nation. We depend upon agriculture. If there is a fall in the prices of wheat, jute, maize or any other food-grains, then I submit the standard of living will go down, and the moment the standard of living goes down,

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wages also go down, and in this process even India's credit will suffer. Therefore, I ask the Government to please consider this matter very seriously. Do not think that only a few interests are involved, do not consider that only the interests of a few Europeans or millowners or importers of wheat like Rally Bros., are alone involved. The question affects the entire agricultural population of India. The whole point is this. Are you going to give relief to the agricultural population? If you are going to do that, then you must do it in the interests of India, as a whole, without having regard for individuals already wealthy. Please do it in the interests of peace, in the interests of conciliation, and good will. My esteemed friend, the Honourable the Leader of the House said that the prices of agricultural produce have gone down to the level of prices which prevailed 30 years ago. I agree, because during my lifetime I have never seen agricultural prices going down so low as at present. That being the case, I want to put one question to my esteemed and able friend the Honourable Sir George Rainy. Is he not going to advise the Local Governments to cut down the land revenue and water rates to the level which existed 30 years ago? Am I not just in making this demand? Sir, I stand before the bar of this House, and I claim justice from the Government, from other officials, from Europeans and from everybody here. If you mean business, if you are going to be just, then you must reduce considerably the water rates and land revenue, because that is the only effective remedy, a most welcome remedy which you could apply. Are Government going to do that? If so, when? We know we will get no reply. Again have Government got no borrowing programme before them? My friend the Honourable Sir George Schuster is not here,—I ask him, has he no borrowing programme for the benefit of agriculturists? Can't they even borrow 20 crores of rupees to give it to the Provincial Governments so that they may in turn give relief to the agriculturists by remission of land revenue and water rates to the extent of fifty per cent. for two or three years? It is admitted that prices have fallen tremendously low, and yet no effective remedy is forthcoming to allay the distress. Sir, I claim permanent settlement like that of Bengal, and if Government refuses to give me permanent settlement, then I say take away that permanent settlement from Bengal so that they may come to their senses. It is a question of struggle between life and death. Honestly we are struggling between life and death. I can say definitely that I have seen peasant proprietors who have sold their daughters to meet payment of land revenue and water rates. So far as I am concerned, I know full well that our income has been reduced to 1/8th or even to 1/10th: in some cases we are not able to pay the land revenue and water rates. It is a most serious problem for the whole of India, and the Government must face the problem with all seriousness. This is a temporary measure, and it may give some relief, but with clause 3 in it, it will afford no relief whatever. If the Government have really any affection for the agricultural population of India, they must find an effective remedy and apply it without delay. (Loud applause.)

**Sir Cowasji Jehangir** (Bombay City: Non-Muhammadan Urban): Sir, why is it necessary to import any heat into this question is a matter for our consideration. I regret that the speech of my Honourable friend Mr. Biswas went a little further than the occasion demanded. I do not think there is anybody here in this House who does not only sympathise

but is most anxious to help the agriculturists of India at a time when they most need our sympathy and assistance. If this Bill can do any good to the agriculturists in India, whether they be in the Punjab, United Provinces or any other part of India, it deserves the sympathy and support of this Honourable House. The problem is, how far this Bill is going to assist the agriculturists of India, and whether it will in any way damage any other interests in the country. The last few lines of the speech of the Honourable the Leader of the House clearly indicated the sound policy which underlies the Bill,—“Do what little we can immediately for the agriculturists without damaging any other interests”. That is a policy which we can all support. There will be a difference of opinion as to details. The details naturally will be: are you protecting other interests that are affected and if so, are you sufficiently protecting them or not, and by protecting those interests are you in any way damaging the very objects which are contained in the Bill? Those matters can only be considered when we come to the clauses in the Bill. Therefore, Sir, we desire, and most earnestly desire, that Government should make an attempt—however small it may be, however, ineffective it may turn out to be—to assist the agriculturists, and I would now earnestly appeal to my friend Mr. Biswas to withdraw his amendment that the Bill be circulated. It does not help anybody. It only causes irritation in the minds of those who are really hard hit, those who are agriculturists in this House; it will not help them, it will not help us, it is not going to help those interests that may be adversely affected. So why carry on a debate which seems to me to be aiming at nothing?

My friend the representative from the Punjab has gone much further afield than the Bill itself. He is demanding protection for the agriculturists far outside this Bill. He has had his opportunity. I would beg of him now to confine his attention to the Bill itself and when he is asking us to consider the proposals placed before us by Government, to also keep in mind the interests of others that may be adversely affected by this Bill.

**Lala Hari Raj Swarup** (United Provinces: Landholders): Sir, my friend Mr. Biswas with his usual eloquence tried to make out a case where there existed none. He said that the process of bleeding Bengal which commenced yesterday has continued today. May I ask him in all sincerity whether the measure which is before us is meant to exploit the poor or is it meant to help them? Is it not a fact, Sir, that the peasants of Bengal are not consumers of wheat at all? They mostly consume rice, and the only interests that can be affected are those of the mill owners at ports or of the higher class and the middle class people trading in Calcutta and Bombay who can certainly afford to make some sacrifice for the teeming millions of Northern India, who are being hard hit on account of the very low prices of agricultural produce. Such depression in prices, Sir, was never witnessed during the last fifty years.

Then my friend Mr. Biswas said that Bengal is being bled to maintain the interests of the rest of India. He brought in a metaphor by which he meant that the lamb of Bengal is being devoured by the lion of the Punjab or the United Provinces. By bringing in this metaphor he has damaged his own case because he must know that it ill fits a man to blame



[Lala Hari Raj Swarup.]

the Punjab or the United Provinces when so long the lambs of these provinces allowed themselves to be devoured by the tigers of Bengal. May I ask my friend to remember that the whole of India agreed to protection on steel, on cement, on paper, on cotton and recently on gold thread? Don't all these measures directly benefit the mill industry or the mill hands of Calcutta, Bombay and Madras? How can you say that Bengal is made to bleed for the interests of Northern India? Have we not for such a long time borne all these duties only to make India self-sufficient for her requirements?

Then my friend went on to say that the principle of levying a duty on agricultural produce was a vicious principle. It might be a vicious principle when it suits our purpose to say so. Is it not a fact that

1 P.M. we have been levying a duty on sugar for a long time, and is it not an agricultural produce? And now when the Government have put forward a measure to protect wheat where not only the interests of the Punjab but of the United Provinces, the Central Provinces and Bihar and Orissa, and to some extent, Bengal also,—and I shall presently show to the House that this measure will ensure the benefit of the Bengal peasant as well—are involved, my friend from Bengal comes out and says, "Oh it is unsound to tax food stuffs! It is a vicious principle". Is it not a misnomer, Sir? Is it not misleading the House, Sir?

My Honourable friend Mr. Biswas again said that the effect of this measure would be that Australia would retaliate against Bengal in tea and jute. The case of jute I can as summarily dismiss by saying that Bengal enjoys a monopoly in jute and Australia cannot afford to retaliate against Bengal in that commodity. As regards tea, when you levied cotton duties, why did not England retaliate by stopping all imports of tea from Bengal? Now, with what propriety can you put forth that argument?

My Honourable friend Mr. Biswas went on to say that very small quantities of wheat are imported from abroad. I will just take my friend into the figures which will show that in the last year the imports of wheat into India went as high as 357,000 tons . . . . .

**Mr. C. C. Biswas:** That was when there was a shortage of wheat in India.

**Lala Hari Raj Swarup:** I am coming to that. In reply to a question the Honourable the Leader of the House stated yesterday that the imports of wheat in the three ports of Calcutta, Bombay and Karachi from 3rd of January, 1931, up to the 14th March, 1931, had been about 100,000 tons. So, you can easily estimate that if within less than three months there has been an import of a lakh of tons, in the whole year it will come to about 400,000 tons, and that is the probable consumption of the population living in the ports. It seems that if you do not ban free imports of foreign wheat they are excluding the entire production of Northern India and living on wheat from abroad.

My Honourable friend Mr. Studd remarked that this Bill would affect the exports of flour from the mills at the ports. I again refer my Honourable friend to the figures and we find that the exports of flour have been steady, that is, about 50,000 tons of flour irrespective of quantities of imports of wheat. For example, last year the imports of wheat had

been 357,000 tons, while the exports of flour were about 50,000 tons. Similarly in the year before that, the imports of wheat were 561,000 tons and the exports of flour were 54,000 tons. That clearly shows that the export of flour does not depend upon the imports of wheat.

Now, Sir, this question of protecting the wheat growers of Northern India has been before the country for a pretty long time and several representations have been made to the Government both by the zemindars and tenants' associations. Not only that, but the Federation of the Indian Chambers of Commerce also made a representation to the Government as far back as October 16th. I crave the indulgence of the House for permission to read a short passage from that representation.

"In this connection the Committee feel that they need not say more to impress upon the Government the great necessity of taking action without delay in the direction of prohibiting the imports of wheat as protection to the wheat-grower of India.

I am asked by the Committee to request the Government of India to inform the Federation of the policy of the Government of India regarding the outlook which is facing the Indian grower for the crop which he has to market. The committee are aware that this is a worldwide question for the growers of raw materials in every part of the world, but they also feel that every Government does devise measures to protect the cultivators of their respective countries at a juncture like this, and the Committee would, therefore, be grateful if the Government of India would let them known what, if any, measures they propose to take in view of the circumstances detailed above."

Does not this clearly show, Sir, the equity of my case? Because an organisation like the Federation of Indian Chambers of Commerce and Industry, which is propitious of all interests concerned, including the mill industry at ports, could not be said to be acting in a partizan spirit.

Now, Sir, the effect of this measure will not only be beneficial to the wheat growers of Northern India but to the cultivators of Bengal also. From the agricultural statistics of India for 1927-28, I find that the area under wheat in Bengal is going down. It was about 120,000 acres in 1923-24 and it has gone down to 106,000 acres in 1927-28. If this Bill is passed, one sure effect of that will be that the wheat grower of Bengal will be protected, and more land will come under the cultivation of wheat, and the grower of jute will also get some relief by diverting cultivation from jute to wheat.

It will not be out of place, Sir, if I am allowed to refer briefly to the condition of agriculturists in Northern India. The plight of agriculturists in Northern India is very sad indeed. I have some personal experience and I can say with certainty that the wheat grower of Northern India is producing wheat at more than 63 per cent., of its selling price, and so, he cannot afford to pay all the Government demands of irrigation rates and land revenue. Agrarian trouble in my province has started, and I do not know, if no relief is given to the agriculturists, the results achieved by the Gandhi-Irwin pact might be negatived and we might have to face still greater troubles. The zemindars also find themselves in a very bad position because we are not able to realise rents from the tenants and we have to pay the full demand of the Government. As the House is aware, the other day the property, houses, etc., of the Rajah of Kalakankar at Lucknow were attached. I cannot say what was the motive at the bottom for attaching the property, etc., of the Rajah with such promptitude. It might be that he had Congress views, but the Rajah himself made it clear

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that he was not able to realise his full demand from the tenants and so he was not able to pay up the Government dues.

**Mr. K. Ahmed:** That might be owing to the sunset law.

**Lala Hari Raj Swarup:** There is no sunset law in the United Provinces.

**Mr. K. Ahmed:** Then it must be owing to the collection of arrears due. The Government must realise the revenue due to them?

**Lala Hari Raj Swarup:** If no relief is allowed to the agriculturists and the present state of affairs is allowed to continue many noble families of landholders will go into ruin. I will therefore appeal to this House to pass this measure and make it more protective than it is in its present form, and I shall have another opportunity of explaining to this House the implications of several clauses of this Bill which require modification and deletion in order to give full protection to the agriculturists of Northern India.

(Diwan Bahadur A. Ramaswami Mudaliar got up.)

**Mr. President:** How long will the Honourable Member take?

**Diwan Bahadur A. Ramaswami Mudaliar** (Madras City: Non-Muhammadan Urban): I will take about 15 to 20 minutes.

**Mr. President:** You had better reserve your remarks till after lunch.

The Assembly then adjourned for lunch till Half Past Two of the clock.

The Assembly re-assembled after lunch at Half Past Two of the clock, Mr. President in the Chair.

**Diwan Bahadur A. Ramaswami Mudaliar:** Mr. President, I think this is a Bill on which discussion has to be carried on in as calm an atmosphere as possible so that the issues may be clearly before the House and before the agricultural population of the Punjab in particular. I do not think we gain anything by importing into the consideration of this Bill controversial issues regarding provincial matters. I very much deprecate the idea of one province suggesting that it is peculiarly hit by another province; it is the largest consideration of the whole of the country that has to be borne in mind in regard to such questions.

**Mian Muhammad Shah Nawaz:** Hear, hear.

**Diwan Bahadur A. Ramaswami Mudaliar:** Sir, there has been a certain amount of criticism of the principle of levying what are called food taxes. I agree in theory that food taxes are bad, but if we examine the question a little more clearly, we shall come to the conclusion that in this case there is no such thing really as a food tax. When we recall the agitation in countries like Great Britain over the food taxes and over the corn laws, we have also to realise that food in England is largely imported stuff.

that very little is grown in the country itself, and that large quantities have to come into the country from outside, and therefore there is a very real tax on food. In this country, the position is entirely reversed. If you find that the food now produced is sufficient for internal consumption, then I submit that there is no case made out against food taxes. Take this particular food tax, of which this House is now seized. It is common ground on all sides that at least ninety-eight per cent. of the consumption in this country is derived from production in India itself, and, as I shall show very shortly, the imported stuff is very small indeed. It therefore is clear that the large bulk of the foodstuffs being found within the country, a food tax will have no appreciable effect at all. There are other criteria which must be borne in mind when we approach this question of a tax on food. Is the quantity produced in the country sufficient for all normal purposes for consumption in the country? And in this particular case it must be conceded that it is sufficient.

Secondly, whatever may be said against tariffs with reference to manufactured goods and other commodities, it is to be conceded that the benefit of any protective or prohibitive tariff is the largest and widest distributed so far as an article of local agricultural produce is concerned. It may be that with reference to the Tata steel industries, a particular company benefits; it may be that with reference to cotton mills a few cotton mills benefit; but with reference to agricultural produce, if you come to the conclusion that a tax should be levied so as to protect the produce of the country; you have also to come to the conclusion that its effect is the widest felt and the benefit of it is distributed to the largest number of people.

Thirdly, Sir, there is another consideration which must be taken into account in deciding whether food taxes are proper or not. In the case of some of those commodities, a monopoly may eventually arise in the country because the production is limited to a few firms or a few owners of mills. But in this case the production is so large, so vastly distributed all over the land, and is in the hands of so many small and large owners of land, that a competitive scale of prices is bound to be kept up and there can be no question of a monopoly. I think that there can be no objection on the score that this is a tax on food, both because the food in question is grown in such quantity that all internal consumption can be met from the quantity produced, and on the ground that the benefit of any protective duty is the most widely distributed, and on the further ground that competition is so keen in the country itself that prices cannot rise up; on all these grounds a tax on food such as we are considering cannot be objectionable.

Having said all this, Sir, I must however make my position perfectly clear with reference to the Bill itself. I believe, subject to what my Honourable friend, the Leader of the House, may say, that this Bill is not going to give the slightest benefit to the agricultural population of the Punjab, it is my deliberate opinion that this Bill is merely a camouflage, —that it is not going to help the agriculturist in the Punjab in any way, and that the agriculturist will not bless this Bill when it is passed, and I want to give my reasons for this view. There are two ways in which this measure is said to help the agriculturist. When you levy a high protective tariff, you believe that on account of that protective tariff the internal prices of the commodity will go up. There is a second reason why

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it can help the agriculturist. When you levy a protective tariff practically preventing goods from coming into the country, you widen the market for the internal produce. Applying both these tests, I say that the agriculturist, whether in the Punjab or in the Central Provinces or in the United Provinces, is not going to be helped at all. Sir, what is the state of the produce itself? In 1929-30 it was estimated that about ten million tons of wheat had been produced in the country. As against that, the imported quantity during the year amounted to 281,000 tons. This is nearly less than two per cent. of the entire production. Now I want to ask the Honourable the Leader of the House how he thinks that the stoppage of this import is going to help the agriculturist anywhere in India. The production is ten million tons. The import is 281,000 tons, less than two per cent. Is it going to be of any help in increasing the local price of wheat—two per cent. of the commodity coming in and competing against 98 per cent. of the commodity? Is it going really to widen the market either, because that is the only thing that can now be done for the wheat that has been produced in the country? It is a drop in the ocean. I do not grudge any benefit that my friends in the Punjab or the United Provinces or anywhere else may get from having their wheat sold, but I want to ask the Leader of the House how he thinks this Bill is going to benefit these people at all. You cannot regulate the price of 98 per cent. of a commodity by regulating the price of two per cent. of the commodity imported into this country, and you cannot really release the surplus stock in the hands of wheat producers elsewhere by stoppage, even if you can stop them, of imports under this Bill; and I say you cannot stop them. But even if you can stop these 250,000 tons of wheat that have come or are going to come into this country, it cannot appreciably alter the position. I have the latest figures for this year. We were under the impression that large quantities of wheat were being dumped into this country suddenly and that therefore the Punjab wheat grower and the United Provinces wheat grower were unable to sell their produce; but an analysis of the figures shows that that essential hypothesis is entirely lacking in this case. I have got the accounts of the Sea-borne Trade in British India for the month of February, 1931. At page 46 I find the figures given for the import of wheat into this country. For the eleven months ending February, 1931, the total quantity of wheat imported into India is 190,800 tons, and we may take it that in March there will be at the most about 20,000 tons imported. Now, supposing the whole of it is stopped and we import only 200 to 250 thousand tons, I ask how is this going to be of any benefit to the country and of any benefit to the agricultural producer? On the other hand, the export of wheat during the same eleven months is almost equal to the import of wheat being about 196 thousand tons; so that the import and the export cancel each other and we are left with the quantity that is produced in this country. Now, Sir, the export figures give us an idea of how in one direction at least the agriculturist can be helped. I find that net imports during the year 1924-25 was *minus* 1,200 thousand tons. The net import is arrived at by deducting the quantity exported from gross import, so that in this year the exports must therefore be very much more than 1,200,000 tons. We were able to export out of India not long ago, in 1924-25, over 1,300,000 tons. I find further from an analysis of the figures, that Great Britain got 750,000 tons, and all that custom is lost

to the Indian wheat trader, and that is why my friends are suffering. Other countries are coming in and closing the markets against us. I find, Sir, that there is a great deal of talk about Imperial preference, particularly with reference to wheat. I do not wish to characterise the proposals of the Canadian Government in the same manner in which the Right Honourable the Secretary of State for the Colonies in Great Britain characterised them, but I know that the Economic Committee of the Imperial Conference is meeting in Ottawa some time in August or September to consider this question. Is not India vitally interested in this matter when we find that India has been exporting large quantities to Great Britain, and that during the past few years that export has been whittled down to 10,000 or 15,000 tons, whereas 5 or 6 years ago it was 700 to 800 thousand tons? Surely this Government of India, which always speaks of its regard for the agricultural population, must take some note of the fact and ask themselves why India is losing the market of Great Britain? We are told that we should show consideration for English products. We are also told that we should be considerate in this matter and accept the principle of Imperial preference. We have done that with reference to cotton goods by taxing foreign goods more than the British products. Now, I ask, what is the return that we get for that sort of thing? Where is this English market gone which we had in years gone by? I am glad to see that in the last year to a certain extent we have recaptured that market, for I find that 175,000 tons of wheat have been sold to Great Britain. But I venture to ask the Leader of the House whether it is not in that direction that one of the remedies at least which the agriculturist in the Punjab, the Central Provinces and the United Provinces is lacking may be found? What steps have the Government taken to find out whether this market can be regained? What has the High Commissioner for India done? Has he devoted any thought to this question? Has he considered how Indian agricultural produce can still retain this market in Great Britain? Has any report of the High Commissioner for India dwelt on this question? I should like to know from my Honourable friend Sir George Rainy whether any attention has been paid to this question of getting the outside market, and particularly the market of Great Britain, for India, and whether they propose to have any say or any voice in the Conference that is shortly to meet at Ottawa with reference to Imperial preference on a question like wheat?

Sir, as I said, the figures are so staggering that I cannot believe that this Bill is going to give the slightest relief to the Punjab or the United Provinces agriculturist. I am very anxious to give him that relief and I shall come presently to another method by which he can be given relief. I have already referred to one method, namely, the capture of the export markets in favour of the Indian trade. But I think that with 2 per cent. of the imports coming in as against 98 per cent. of the production of this country, it is hopeless to think, notwithstanding the prohibitive tariff, that you will levy on the import of wheat, that any real benefit can come to the agriculturist in the Punjab or elsewhere. Sir, a reference was made to the reduced railway freights that can usefully be given so that the Punjab agriculturist and the United Provinces agriculturist may be benefited. I entirely agree with that, but I also think that the suggestion that my friend Mian Shah Nawaz has put forward has to be much more seriously considered. I see that the Governor of the Punjab, in a speech which he recently delivered to the Legislative Council, has bewailed the

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condition of the agriculturist, and a meagre sum of 30 lakhs of rupees is all the remission that has been given to the agriculturist. That is not fair. What is the position of the agriculturist? You are charging him land revenue on a cash basis and not on a basis of kind. Whatever quantity he may produce, and whatever may be the price of that quantity, he has to pay your fixed land revenue and your fixed water-rate. Now, is that fair? How does it work? Why have you not thought of it? In my speech on the general discussion I adverted to this position as a matter of general principle all over the country. The agriculturist is asked to pay his land revenue and his water rates on a cash basis, when the prices of foodstuffs that are produced by him from the land have gone down so low that it does not bring him 50 per cent. of his original produce. What is the result? If the produce is worth Rs. 100 and if at the time it was assessed it was worth Rs. 100, you probably asked him to pay a land revenue of Rs. 40. But now when the price of his produce has gone down to Rs. 60, you are still getting from him the same Rs. 40. There lies the tragedy of the agricultural producer in this country. In the olden days during the Moghal period, it was in kind that the land revenue was taken. You have transmuted it into cash, with fatal results to the agriculturist, because at every stage when you revise your settlement you fix your cash remittances on the basis of the prices then prevailing. But now when the prices have gone down and when you yourself accept that they are the lowest on record and they have gone far below the pre-war prices, you are unable to give him any remission. Your rules do not allow you to do so, and the agriculturist is asked to pay the same land revenue and the same water rate which he was paying when his produce was selling at economic prices. Therefore, I venture to think that this Bill, without being of any use to the agriculturist, will simply be an eye-wash, and the Government will fail to do anything for the poor agriculturist. My friend, Mian Shah Nawaz, and his constituency are not going to be benefited by this Bill in the slightest degree.

**Mian Muhammad Shah Nawaz:** We are catching at the straw; that is all.

**Diwan Bahadur A. Ramaswami Mudaliar:** And the result will be the same as every man has met with when he has clung to the straw, namely, that he is drowned. The agriculturist of the Punjab will be drowned in spite of this Bill being passed. I am not opposing the Bill; I am opposing its circulation. I wish to support it as a straw and nothing more than a straw. And I want the Punjab agriculturist and the wheat consumers all over India to realise that it is a straw that is being given to us and whether March 1st is retained or March 30th is inserted it will still be a straw and nothing more than a straw.

**Dr. Ziauddin Ahmad:** Sir, there has been a great conflict between Bengal on my right and the Punjab on my left and I, holding an intermediary position in the United Provinces, will probably be able to keep up the balance.

**Maulvi Muhammad Yakub** (Rohilkund and Kumaon Divisions: Muhammadan Rural): You are between the two.

**Mian Muhammad Shah Nawaz:** You are between the devil and the deep sea.

**Dr. Ziauddin Ahmad:** My friend, Mr. Biswas, complained that the Punjab is over-represented in the Government of India. Perhaps if it came from my mouth, it might have some meaning. But he knows very well, that, not only in the Government of India but also in England, Bengal is certainly not under-represented. The other point in which Mr. Biswas, I think, has shown his diffidence is his assumption that Bengal is a wheat-consuming province. Whatever wheat is imported through Calcutta, he imagines that it is consumed by Bengal. Any wheat that is imported by Calcutta port does not necessarily mean that it is consumed by Bengal. In fact my complaint is that the people of Bengal do not know how to consume wheat. I had a definite complaint that I could not get genuine wheat flour for daily consumption in Bengal, and whenever I had to live there for a long period, I had to import wheat from Upper India. The wheat that is imported in Calcutta is either sent to some flour mills and then it is exported in some shape or other or it finds its way to Upper India and there it competes with the local wheat. I do not consider the percentage of wheat which we import compared with the total quantity produced in this country. It may be any per cent. That is not my point. My really important point is this, that taking the figures of the last seven or eight years, we find that the total consumption of wheat in India is about  $8\frac{1}{2}$  million tons. That is the average consumption during the last seven years. If we produce wheat, in excess of  $8\frac{1}{2}$  million tons, we should find means for the outside sale of the surplus quantity. If it is not sold, then there is a definite loss to this country. The wealth of India will be reduced by the amount equivalent to the price of wheat allowed to rot. We find that, last year, India produced 10.3 million tons of wheat. This means that there has been an over production of about  $1\frac{3}{4}$  million tons. This is the excess of production over consumption, and if this quantity of wheat is not sold out to foreign countries and if it is not exported, but allowed to rot at home, then it is a dead loss to India. I am not discussing it from the provincial point of view, whether it is a dead loss to the Punjab or to this province or that province, but certainly it is a dead loss to India as a whole, and the estimated price of this dead loss is about 10 crores of rupees. If we do not take any special measures for finding an outlet for this excess, then India will be a loser by 10 crores. This is a point which I want to emphasise. I do not want to quibble about whether we import 2 per cent. or 5 per cent. But what I do maintain is that we should find a market for this over-production. In reply to my Honourable friend Mian Muhammad Shah Nawaz Mr. Studd said that we could reduce railway freight. This is also one of the means to be employed. But I say that in order to find a market for export, the first and foremost thing is we should try to find a market for our produce in our own country, and to achieve this we should stop import. When we have got possession of our own market in our country, we should then go one step further and then find out ways and means of finding a market for this export of  $1\frac{3}{4}$  million tons. I would first fall back on the advice given by Mr. Studd, that is, we should go to the Railway Member and request him to reduce the railway freight from stations in the U. P. and Punjab to Calcutta and Karachi so that we may be able to export the excess at a cheaper rate to the foreign countries. That is the first step. The second method is the method suggested by my friend, Diwan Bahadur Mudaliar, that if India is to form part of the British Empire, and if India is asked to accept a preferential tariff, then the British



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Empire should make it a point to consume Indian wheat in preference to wheat from any other country outside the British Empire. I think this is also a point to be considered. That is the second method of finding a market for Indian wheat. I think this is a point which the Honourable the Commerce Member ought to take into consideration, these two methods may help the export. There is a third method which I suggest and to which I am afraid the Honourable the Finance Member would never agree, and that is reducing the exchange ratio from 1s. 6d. to 1s. 4d., that is, reducing the price of wheat at the foreign market by 12½ per cent. That is another way of finding an easy market.

**An Honourable Member:** Question.

**Dr. Ziauddin Ahmad:** I hope that all those people, who are interested in the welfare of India and in seeing that 10 crores of rupees are not wasted, will see how a suitable market could be found for the excess of Indian wheat outside the country and take every measure to stop foreign wheat from coming to this country.

**Nawab Major Malik Talib Mehdi Khan** (North Punjab: Muhammadan): Sir, India's largest industry is agriculture and as it has got no factories to convert its raw agricultural produce into valuable finished articles of merchandise, consequently it has been exporting wheat in lakhs of tons. But the tide turned in 1929, and instead of exporting, no less than 5,61,918 tons valued at Rs. 8,16,95,629, were imported into India from foreign countries. Out of these, 5,29,459 tons, of the value of Rs. 7,67,09,885, were from Australia. The Punjab with its vast system of canals was the chief exporting province of the Indian Empire and consequently suffered the most. It is a province of petty proprietors who have got no other sources of income but agriculture. Even the money-lender refused to come to his rescue because there was no demand for the produce of his land. He approached the Government and he had a ready response to his appeal in the Punjab. His Excellency the Governor of the Punjab in his speech to the Northern India Chamber of Commerce, on 28th March, 1931, explained the situation as it stood at that time, which clearly shows that the request made by the Punjab Government was met with tardy response from the Government of India. The freight to Karachi was reduced, but for that to Calcutta "the Punjab Government had to drive a hard bargain by giving a guarantee to the Railway Board" to re-imburse "the loss of revenue due to the decrease in freight". The relief which has been so provided is shortlived and concerns the Punjab alone, but the condition of some other parts of India are very nearly the same and some measure of far-reaching effect is called for. First and foremost of all, is the reduction in the railway freight. This freight was calculated at a time when the produce of wheat and other foodstuffs was high and the zemindar could afford to pay freight at a higher rate, but the price has now fallen to the bottom and he cannot at any rate take his wheat to the port after giving a heavy freight and thus getting a price below the cost of production. Thus I would urge that the first duty of the Government, if they really intend to bring relief to the cultivators, is to reduce the freight duty from the Punjab to Calcutta and from there to Karachi. The Bill before us appears to afford some relief, but the exemption nullifies its object and if the section embodying it is not removed, the Act

defeats its end. It is urged on behalf of the exemption that the companies, who, without a knowledge of the imposition of this duty, placed orders, will be prejudiced by it. They are probably the same companies who made large profits at the expense of the producer during the past two years. It does not stand to reason therefore that they should get further protection, and the producer should sell below the cost of production. I fail to understand the solicitude of the Government of India with respect to these companies when no such notice was taken of the persons dealing in kerosene, sugar, etc., when custom and excise duties were imposed on them.

I have given above the import figures of 1929. The quantity received next year, i.e., 1930, was also abnormal. It was 3,57,036 tons valued at Rs. 4,98,10,000, out of which 3,36,039 tons valued at Rs. 4,65,61,845 were contributed by Australia. The normal import of wheat has been below 50,000 tons a year. This unchecked import of foreign stuff has no justification whatever, as it is ruining the Indian producer.

At the same time I am afraid it will be difficult to determine the date of contract, and the exemption is likely to lead to malpractices with regard to the quantity of import, etc. The object of the Bill can easily be frustrated by two companies, one in India and the other in Australia, combining together.

I would now appeal to my Honourable friends from Bengal to pass over a small loss if they sustain any, by bargaining with India. My Honourable friend, Mr. Neogy, when speaking on the Salt Bill yesterday, expressed the view that he would rather be exploited by his own countrymen than by foreigners. The remarks passed by the Leader of the Nationalist Party, Diwan Bahadur Rangachariar, in the same connection were very encouraging indeed. He said that Indians were not protectionists by instinct but by sheer necessity. He described Bengalees as being in the vanguard of improving the national industry. We are boycotting foreign cloth and goods, and why should we not boycott foreign wheat or subject it to import duty, because by it we will save the largest number of our countrymen from ruin.

Lastly, I may refer to the impression on the minds of the agriculturists that the Government are not properly safeguarding their interests. They have suffered hardships during the last two years and met their liabilities to the best of their ability. But they are at the end of their resources and it will be highly impolitic to load the proverbial last straw to break the camel's back. I would refer Government to the agrarian riots taking place in the United Provinces villages, described in the *Hindustan Times* of the 25th, 27th and 29th March last. There is no need for me to sit in judgment on them and find who is the guilty party. My object in bringing them to the notice of Government is that it is an ugly situation and requires prompt handling. I may mention here that the rate-payers' poverty is at the bottom of these troubles to a large extent, and the passing of the Wheat Bill without exemption will go some way to pacify them, as they will be able to sell their grain at a fair price.

I would also remind my friends all round that, looking at the trade situation of the world, we in India are sitting on a volcano of economic upheaval. I cannot say when it will burst, but if things go on as at present, it is bound to burst and I do not know who will go with it into

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destruction. My friend Sir Cowasji Jehangir is rather doubtful if the measure will benefit any one. My opinion as a layman is that if the exemptions are not thrust in there may be some relief to the producer, anyhow we know we are simply trying as drowning men to catch at a straw, and time will show whether we are saved by it or not.

At the same time I would urge upon the Government that as they did with the salt duty, the enhanced revenue which is derived from this import duty may be made over for helping the zemindar of the Punjab where the revenue is very heavy and the zemindar cannot in any way meet his liabilities which will accrue in a month's time.

**Sirdar Sohan Singh** (Punjab: Landholders): Sir, the wheat position in India has been adversely affected by the world slump. Those countries which produce the primary products have borne the full burden of the depression. Prices have fallen steadily for the past ten years, but during the year 1930 the fall has been as rapid as the fall in the previous 4½ years. One significant fact is to be noted in regard to this fall in prices, namely, that while retail prices during 1929-30 show an average percentage drop of only 3 per cent, wholesale prices during the same period show a drop of 25 per cent. The bulk of these wholesale prices are for food-stuffs or for raw materials which are the primary products of countries like India. In 1930, Canadian wheat, for instance, showed a drop of 5 per cent. in wholesale prices and Indian jute of 35 to 44 per cent. The significance of these facts is that countries like India have been hit the hardest and their sufferings have been more extensive.

India produces roughly ten million tons of wheat a year out of about 30 million acres of land under this crop. Nearly 70 per cent. of the wheat area lies in the Punjab and in the United Provinces. Not more than 10 per cent. of the wheat thus produced is on an average exported. The demand for India wheat is due to the fact that the seed is dryer and yields to the miller a greater quantity of flour. But the export is negligible. On the other hand, although it cannot be legitimately conceded that there has ever been a sufficiency of normal food supply for the vast population in India, world factors together with the local factors have brought about a disastrous fall in the prices of home-grown wheat, with the result that it is found cheaper to import foreign wheat to the ports of India than to pay the heavy freight charges from up-country. The present Bill, limited as it is in its scope, is meant in reality to produce the normal out-let for wheat which ordinarily is exportable by making its sale possible in the ports in competition with foreign wheat. In my opinion no marked reaction is to be expected on the market as a result of the passing of this measure. The reservations contained in clause 3 will to a large extent dissolve the effect of the import duty in view of the fact that the life of the measure is only one year, and the provisions already made by sellers and purchasers which it seeks to protect will make the Bill's provisions nugatory for the best part of the operative year.

Representing as I do the landholders of the Punjab, a province most vitally interested in this problem, I venture to draw the attention of the Government to matters which must be the concern of any Government

that seeks to work in the interest of its people. It cannot be denied that both America and Canada have marched greatly ahead of India in the measure of organisation and assistance afforded to their respective wheat-growing farmers. The American Wheat Board and the Canadian Wheat Pool have certain elements in them which need to be copied by the Government of India. The question is not so much of foreign competition in wheat. The question is of putting our own house in order. We are passing out of the stage of unscientific farming, chaotic marketing, and inadequate finance in the world's march in productive activities. Indian policy must be directed towards mechanised farming on a large scale, on co-operative pooling of produce, on co-operative marketing of produce, on scientific methods developed with the assistance of the State, and of financial assistance and guarantees given by the State in order that not only more should be produced and consumed, but that costs should be lowered, yielding a greater return. My advice to the Benches opposite is to set up a committee to go into the whole matter, if they do not desire to see the ruin of the millions of agriculturists whose sole source of income practically is wheat, which is to-day menaced by world and local conditions which need scientific examination and solution.

The present measure though temporary may give some relief to the agriculturists provided clause 3 is omitted. The present prices of corn are not sufficient to pay off the land revenue and water rates. The Government must overhaul the entire policy of assessment, and for the present, if they like to be just, should remit at least 50 per cent. of the land revenue and the water rates by giving way to the provinces even at the risk of borrowing, and in addition to this, this measure must be passed after deleting clause 3. If effective remedies are not introduced by the Government without delay, I fear aggravation of trouble.

Sir, I fully endorse all that was said by my learned friend, Mian Shah Nawaz, who is moderate in views and belongs to a respectable zamindar family in the Punjab.

**The Honourable Sir George Rainy:** Sir, I do not propose to speak at any length in reply to this debate, but there are three or four points which I should like to notice. To begin with I should like to congratulate the Honourable the Mover of the amendment on the great courage and attack he showed under obviously trying circumstances when his voice was not carrying so far or so clearly as it usually does. But it was also obvious that, whatever might be wrong with his voice, there was nothing wrong with the clearness of his mind or the clearness with which he put his case before the House. He began by saying that I had put a most convincing case against the Bill myself, and after making that statement he appeared to me to be a little ungrateful, because if I had really done that, I do not think he would have found so many points of attack in my speech. Then he went further and he quoted a remark of mine on the 12th March, I think, as being inconsistent with what I was saying today. I find no inconsistency between the two statements, and what I should like to say to the House is this, that in these difficult matters of protection I always try to state the case fairly, not ignoring considerations which may appear to some extent to clash with the view I am putting forward, but attempting to put the House fully in possession of all the factors which appear

[Sir George Rainy.]

to have importance in arriving at a decision on the particular case which we may happen to be considering.

The main point that has been taken today, and taken from every quarter of the House, is that, after all, the total amount of benefit which the cultivator can receive from this Bill is not very large. Some used this argument in this form, that the benefit was so small that it was not worth conferring at all; while others have used it in the form that as it was so small, other measures ought to be taken in addition. I did not wish to go into figures in my opening speech to a larger extent than was absolutely necessary; but I should like to give the House my own estimate of the additional market likely to be secured to the Indian cultivator if this Bill becomes law. Our information is that the total quantity of wheat for which orders were placed before the 1st of March for delivery after the first of March, was just under 150,000 tons. If we take the consumption of the areas at the ports as 450,000 tons, that is half-way between 400,000 and 500,000 tons, and deduct this 150,000 tons, then the balance is 300,000 tons, and that is not an unfair estimate I think of the market likely to be secured to Indian wheat by this Bill. It is open of course to Honourable Members to say that the imports during the month of February and the first three weeks of March amounted to 96,000 tons and that therefore in the coming year, the additional market for the Indian cultivator is likely to be less than 300,000 tons. But on the other side I would like to point out this, that as things have been moving during the last few weeks, it is by no means impossible that the disparity between Indian prices and world prices may reach a point at which we should import not only to meet the needs of the ports, but to such an extent that wheat would begin to move up-country from the ports. The Bill is an insurance against that, and I should like to say that the very heavy imports during February and the information we received as to the forward orders which were being placed at that time, had great weight with the Government of India in coming to the decision that the matter ought not to be left alone any longer, but that a Bill of this kind ought to be introduced.

I should like to turn now to certain things that fell from my Honourable friend, Diwan Bahadur Mudaliar. He quoted certain figures and said that they were staggering figures. I wonder if he will forgive me if I say that they were staggering in a rather different sense, for some of them did not seem to me very strong on their feet! Let me give the figures that were given in the communiques of last July. It is quite true that in 1924-25 the net exports of wheat were 1,107,000 tons. But what about the next five years? During the next five years, the net imports—not net exports—were a little over a quarter of a million tons. It is true to say for the whole period that, taking the five years together, India was not an exporting country at all; apparently, unless owing to new irrigation schemes there is some expansion of wheat cultivation in India, it looks as if, with the growth of population, India is gradually being transformed from an exporting country in respect of wheat into an importing country. What happens now—apart from an abnormal crisis such as exists at the present moment—is that when India has a short crop, she imports; when she has a good crop she exports. On the average, unless there is a very

favourable or unfavourable monsoon, there is not very much in it. All that has a bearing upon what my Honourable friend Diwan Bahadur Mudaliar said as to the attitude the representatives of India ought to assume when the Imperial Economic Conference resumes its sittings at Ottawa in the Autumn. He said that one duty of the representative of India was to put forward a strong claim for a better market within the Empire for Indian wheat. Now, if we are in this position that we cannot guarantee that over a period of years we shall have any wheat to export, that weakens our position as compared with the great Dominions of Australia and Canada, which practically always have a large surplus although the amount varies from year to year. But in addition, is this House prepared to arm the representative of India with authority to negotiate on the basis of mutual preference, or can we go to the Government of Great Britain with our hat in our hands and say, "You ought to extend preference to us but we hold ourselves entirely free"? That is the main point. It is very difficult for the representatives of India to say to the other parts of the Empire, "Why don't you help us?" unless we are prepared to do business, on a basis of reciprocity. I know quite well all the difficulties with which that question is surrounded, and I only mention that point now because it is a real difficulty for any one who desires that India should take a strong line when questions of that kind come up for discussion.

My Honourable friend Mr. Mudaliar dealt, it seemed to me, very adequately and clearly with the objections of principle to duties on food-stuffs which were raised by the Honourable the Mover of the amendment. In general, there is no doubt that duties on food-stuffs are open to objection, if they are likely to raise substantially the prices of food-stuffs to the consumer; everybody knows that. But it is clear enough that nothing could be more different than the circumstances of India at the present day when in respect of most food-stuffs she produces she is an exporter, from the position of Great Britain which for more than a hundred years past has been dependent to an increasing extent upon imported food-stuffs. In Great Britain the question is of first class importance for good or evil. In India today it is still and is likely for many years to come to be, a comparatively minor and unimportant question.

It is hardly necessary for me, I think, Sir, to go more deeply into the various arguments that were used, but I should like to say in conclusion, that I recognise frankly—and I stated the facts frankly in my speech when making my motion—that in respect of the price it is unlikely that at the present juncture and in existing circumstances the Bill can be of direct benefit to the consumer. Therefore the main benefit that is likely to accrue is the extension of the market for Indian wheat. The view I put forward is that this new market amounts to 300,000 tons as a minimum. If the price of Australian wheat should fall lower, it may amount to something even more substantial, but the exact extent of which cannot be estimated with accuracy because it depends upon factors which have not yet come into existence.

**Mr. C. C. Biswas:** Sir, in view of the fact that there is a feeling in the House that the Bill should be discussed on its merits, I ask for leave to withdraw my amendment.

The amendment was, by leave of the Assembly, withdrawn.

**Mr. President:** The question is:

"That the Bill to impose a temporary duty of customs on the importation of wheat be taken into consideration."

The motion was adopted.

**Mr. President:** Clause 2.

**Mr. G. Morgan (Bengal: European):** I do not move the amendment,† Sir.

**Sir Cowasji Jehangir:** I don't wish to move my amendment‡ either. Clause 2 was added to the Bill.

**Mr. President:** The question is that clause 3 stand part of the Bill.

**Sirdar Harbans Singh Brar (East Punjab: Sikh):** Sir, the amendment that I wish to move is that clause 3 be omitted. We have heard this morning on the consideration of the Bill many speeches on the subject. Honourable Members are aware that the depressing effect of the lowering of the prices of wheat is being very keenly felt in the wheat producing areas, particularly in the Punjab and the U. P. We have also heard that up to the end of February about 200,000 tons of wheat have come to India, and the Statement of Objects and Reasons of the Bill also makes the point quite clear that the contracts for the imported wheat were entered into many months ahead. From the experience of the past year, and especially of the past three months, when we see that during December, January and February, 114 thousand tons of wheat have come to India, we can well imagine how many more contracts have been entered into which will bring in more wheat into this country. We know that last year we had a surplus of a million and half tons of wheat from our own production. We have not found any market for it, but we have got 200,000 tons from outside and we expect to get much more. Now, if we allow all that wheat to come into the hands of the contractors which have been contracted for before the 1st of March, without the imposition of import duty, then certainly the Bill is not going to benefit us in any way. The crops will come in about a month's time, and the cultivators will have to pay their dues to the Government, and their liabilities will also become due in the month of May or the beginning of June. So, if clause 3 remains, the Bill will have effect on prices only after the harvest in September. That would mean that the cultivator or the ryot will not benefit in the least; it will only benefit the trader and the mill-owning interests of Calcutta and Bombay. So that it only shows that the Government are not sincere in their assistance to the agriculturist of Northern India, but are only shedding crocodile tears at their miserable condition. The Government plead that contracts must be respected because the law respects them. The law respects many other things also; law respects the liberty and the property of the subjects. But they are all forgotten or taken away in the interests of the State. We see that people are arrested, imprisoned, detained, and hanged also, in the interests of the State, overriding the law of the land when the interests of the country so demanded.

†"In clause 2, after the word 'wheat' the words 'and wheaten and maize flour' be inserted."

‡The same as the above.

So, if contracts are respected by the law of the land, just as in the interests of the country we can forego the liberty of the subject, the property and even the life of the subject, we can easily forego the profit of a few millowners of Bombay and Calcutta in the larger interests of the multitude who compose the population of India, almost 90 per cent. of it. Gentlemen sitting on those Benches must remember that they have been benefiting at the expense or with the assistance of the poor agriculturists of India for so many years, and now when these people are in this plight, unless they come to their assistance, their own profits will vanish. If we do not assist the Punjab or the United Provinces cultivator at this moment, at least half the population will give up the profession of agriculture altogether and in all probability become professional beggars because agriculture is not at present a paying concern. The present prices do not even compensate them for their expenses of cultivation, not to say of food-stuffs and other things required for their personal use. Unless the Government are prepared in this radical manner to assist the Punjab cultivator, the "Golden Sparrow" or the Kohinoor of the 18th century will be no more and India will almost become an insolvent country and the Budget will always be in a deficit every year, because agriculture is the main industry, or call it profession, of the country, and if agriculture is given up, you will have to depend like England upon foreign food-stuffs. We know how England suffered during the Great War. England gave up agriculture in favour of industry, and when the war came, every article of food had to be imported from outside. Had the sea been blockaded against them, just as it was with Germany, they would have felt the pinch and Great Britain could not have been what she is today. Germany was able to carry on the war single handed for such a long time because she was self-sufficing in the matter of food-stuffs at least. She was blockaded, but her own production sufficed her to carry on. Had that happened to England at that time, England would not be what she is today on the map of the world. So, I draw the attention of this Honourable House to this, that unless we are prepared to do our very best to keep agriculture going and to make it a paying concern and help the poor cultivator at this juncture, time will be lost and the patient will be dead without any treatment being meted out to him at the present moment. With these few remarks, I beg to move that clause 3 be omitted.

**Mr. B. Das** (Orissa Division: Non-Muhammadan): Sir, I am sorry that I have to oppose the amendment moved by my Honourable friend Sirdar Harbans Singh Brar. It is an irony of fate that we should be adopting protective measures to protect agricultural interests. Sir, we are living in an artificial age. We have a Government who have got an artificial system of heavy taxation. Because there is heavy taxation, the agricultural interests cannot pay the land revenue that they are bound to pay under that system of taxation. If there were not this system of heavy taxation, the agricultural interests of the Punjab and the United Provinces might not be coming and begging the Government of India today to put on a protective duty on wheat. Sir, the day will come when everybody will demand that the price of food stuffs should be as low as possible. But because my Honourable friends from the Punjab and the United Provinces find that they cannot meet this heavy burden of taxation that their Provincial Governments and the Government of India have imposed upon them, they have come up through their own Governments and through their Members



[Mr. B. Das.]

in this House to ask for this measure of protection. But we cannot penalise those merchants who have entered into contracts with foreign firms for the purchase of foreign wheat. Those contracts that have been made before the 1st March must be fulfilled, and if clause 3 were omitted as desired by my Honourable friend, we should simply be putting a few lakhs of rupees more into the treasury of the Government, and we do not help the agricultural interests at all. For business men are always honest; they always keep to their contracts and agreements. So, the wheat for which contracts have already been entered into must be purchased in Madras, Bombay and Calcutta, and the United Provinces and Punjab wheat will have no chance of being sold there until this quantity of contract wheat has been turned into flour and sold away. I do not want my Honourable friends from the Punjab to be hard on the business men. If they want to do that, they are doing no good to themselves; they will only put a few more lakhs into the pockets of the Honourable the Finance Member, Sir George Schuster. I ask them to consider this question coolly and not to press this deletion of clause 3, because thereby they won't help themselves but will only indirectly help the Government.

**Mr. S. G. Jog** (Berar Representative): I am very thankful to the Chair for having given me this opportunity. Personally I am more concerned with the heat at present and I had no mind to enter into any discussion on this question of wheat. However, the Bill as introduced seems to be very important, and there is a great divergence of opinion. The present suggestion of my Honourable friend is to omit clause 3 altogether. My Honourable friend thinks that we are in a state of war, and that this is a war measure. My Honourable friend will have to make a distinction between an emergency measure and a war measure. We are trying to give protection to wheat, and in doing so, we must remember that there are also some equities in favour of contracts that have been already entered into. There is a maxim that you must be just before you are generous. If you want equity you must also do equity. If my Honourable friend wants protection, he must also observe and respect the rights under contracts that have been entered into. I oppose the amendment proposed by my Honourable friend Sirdar Harbans Singh Brar.

**Mr. Muhammad Azhar Ali** (Lucknow and Fyzabad Divisions: Muhammadan Rural): The deletion of clause 3 would have been justified if India was prepared to agree to very broad questions; nor is the question of price of wheat much affected by the retaining of this clause. As a matter of fact, wheat is not used daily by the ryots and by the cultivators themselves. It is the middle classes, most of all, who use wheat in this country. It is the coarser sort of grain that is used as food stuffs by the cultivators themselves. Wheat is generally produced for the payment of rent rather than for their own use. From the way in which this discussion of today has been started, I find that it has been on very broad lines in this House. The question of the capture of export markets or changes of cash rents into kind, are questions which really we are not discussing at present. This Bill relates only to a small matter and is a short time Bill. It is a temporary measure which has been adopted by Government to benefit the ryots and the cultivators in the Punjab and other wheat producing areas. If

our agreements are not respected, if the contracts which have been entered into are not respected and protected, I feel, in future if the price of wheat goes up, as it has gone down now, then the contracts which may be entered into hereafter may not be respected by other countries. Therefore I think that the deletion of this clause has nothing to do with the broad questions of policy. I would like this House to discuss broad questions of policy when there is a question of revenue settlement or questions like that, but today we are only discussing a very small measure, which I think may be opposed by some of my capitalist friends. If I may say so, a war is going on between the capitalists and the agriculturists. It may not be much to the benefit of the agriculturist but it will surely affect the capitalist interest. If the Punjab Government have wanted it and asked the Government to reduce the freight and things like that, they may benefit the agriculturist at least to a certain extent, at least for a year as a temporary measure. Thus I would oppose the deletion of clause 3.

**Mr. C. C. Biswas:** I consider clause 3 to be a vital part of the Bill and I am strongly opposed to its deletion. There is the question of the sanctity of contracts. There is next the question of unfairness to the flour mills concerned. More than that, there is the practical consideration that the deletion of this clause does not help the wheat producer of the Punjab. Having entered into the contracts, the mills are bound to implement these engagements, and as the Honourable the Leader of the House informed us, the quantity under contracts entered into before 1st March for shipments after 1st March is something like 167 thousand tons. So to this extent, these mills will be out of the market for this wheat. That being so, it will not be possible for Indian wheat to displace this quantity. All that will happen is that the mills, if they have got to pay duty on this quantity, will have to find the money either out of their own capital or out of the consumer. Out of the consumer, they cannot, because they will have to compete with Indian wheat which will sell at cheaper rates. Therefore it has to come out of capital. It is not right to victimise these mills for nothing. They have entered into these contracts in the ordinary course of business at a time when no duty was at all in contemplation on wheat, and we should be setting a very bad precedent, if we were to take advantage of this situation in order to inflict an unmerited wrong on the flour mill industry.

**Maulvi Muhammad Yakub:** The real question at issue just at present is whether a case has been made out to give some protection to the agriculturist or not. The House by its previous vote has accepted this proposition that the import of wheat should be restricted by the levy of some import duty. Now we have got to see whether by retaining clause 3 in the Bill we give any protection at all to the agriculturist or not. We know that this is a temporary measure, that its effect will be only for a year. If you pass this Bill, with clause 3 as it stands, what will be the effect? The result will be that the protection which it is proposed to afford to the agriculturist of this country will not have any effect until September or October next, because the contracts which have already been entered into will bring in lot of wheat into the country and the agriculturist will not be benefited. If any benefit under this Bill is to be felt by the country, it will be after the present stock is exhausted. That is to say in September or October.

[Maulvi Muhammad Yakub.]

By that time the wheat which is grown in this country will not remain with the agriculturist. The wheat will be harvested in May and June and it would have gone from the agriculturist to the middleman or the merchant who sells the wheat. So any profit which will accrue after July or August will not come to the pocket of the agriculturist but it will go to the middleman, and the real object of the Government to give some protection to the agriculturist will altogether be frustrated. The real object for which this Bill has been brought in, in the teeth of opposition from the capitalists, will be altogether lost. We have got to see what is the position of the agriculturist in the Punjab and the United Provinces. My friend Mr. Azhar Ali has said that the agriculturist himself does not use wheat. Probably he is right to a great extent. Wheat is really the source of the agriculturist's income by which he pays his rent, his debts and supports his family. With the fall in the price of wheat, the condition of the agriculturist in the Punjab and the United Provinces has become extremely pitiable. You will find that hundreds and thousands of agriculturists in these provinces cannot get food even once in twenty-four hours, and the result is that agrarian troubles are ahead. Now, Sir, it is not only an economic problem, but I will draw the attention of the Government to the fact that this dissatisfaction amongst the agriculturists is also a political problem in the country and especially in these two provinces. We know that the opponents of the Government, who want to attribute all evils in the country to the Government, are seducing the agriculturist to believe that the fall in the price of the commodity is due to some act on the part of the Government and they are provoking the agriculturist against the Government. We have already seen so many agrarian troubles in Oudh and in some other parts of the United Provinces. Now if you do not improve the condition of agriculturist immediately, I tell you that any truce or any settlement between yourself and Mr. Gandhi will not bring peace to the country. (Hear, hear.) The agriculturist, the poor ryot, does not know what settlement you have made or what political benefit you are going to confer (Hear, hear), but he sees that he has got no money to pay the rent, he has got no money to support his family, he has got no money to marry his children, and naturally he thinks, and is made to believe, by your opponents that this is all due to the Government's action; so, if you want to avoid these agrarian troubles, if you want to bring peace to the country, adopt measures which will really help the agriculturist; and, as I have said, if this were not a temporary measure, if, for instance, you extended the life of this Bill to two years or three years, then I submit that you might retain clause 3, because even in spite of clause 3 after a year or so the effect of this Bill would be felt and the agriculturist would get some benefit; but with a temporary measure which would come to an end in a year, your object fails; you do not give any help to the agriculturist; but at the same time you take the odium of passing a Bill which the capitalists do not like. Now, Sir, a great deal has been said about the contracts,—that contracts should be respected, and this and that. Well, in reply, I would only submit, that did you make any conditions as regards other commodities on which you raised the import duty or customs?

**Mr. President:** Order, order. The Honourable Member should address the Chair.

**Maulvi Muhammad Yakub:** I want to draw the attention of the Government through you, Sir, to the fact that in their last Budget they have increased the Customs duty on several articles for instance on sugar, kerosene oil and other things, and there must have been some merchants who entered into contracts before the Finance Bill was introduced and passed. (Hear, hear.) Now what conditions have they imposed to respect of contracts with regard to those commodities, namely, sugar and other things? If they have made no conditions about those commodities, and if they raised the Customs duty from the date on which the Finance Bill was passed, I do not see that there is any reason why this differentiation should be made only with regard to this small temporary measure which might give a little relief to a community to which you have not given any relief at all up to this time. In this House, Sir, we have given relief to the capitalists of Bengal, to the capitalists of Bombay and to the capitalists of all other provinces, and we have appointed a Tariff Board, which is a permanent body, which is heavily paid and for which the Indian taxpayer pays thousands of rupees every month,—and what for? Simply in order to help and give relief to the capitalists! Now what measure, I ask the Government through you, Sir, have they adopted in order to improve the condition of the agriculturist? What have they done to give relief to them? And if in this small measure, that they have brought in, they want to take away with one hand what they give with the other, then I submit it is no use bringing in such half-hearted measures in this House; and with these remarks, Sir, I support the amendment that clause 3 be deleted.

**Mr. B. V. Jadhav** (Bombay Central Division: Non-Muhammadan Rural): Sir, I do not like that there should be any conflict between capital and labour or between capital and the agriculturist discussed in this House. I myself belong to an agricultural community, and I am second to none in my desire to help the agriculturist as much as possible.

**Maulvi Muhammad Yakub:** But how many are true to their salt?

**Mr. B. V. Jadhav:** I have full sympathy with the woes of the agriculturists of the Punjab and I do not want to retail here the hardships which the agriculturists of Bombay are facing. The price of cotton has gone down very low, and the price of the oil seeds also is very low: and the agriculturists are suffering on that account. But they will have to pay their taxes all the same. I do not of course mean to say that the Punjab should not get any benefit or relief; and this is the reason, Sir, why this side of the House did not oppose the introduction of the Bill. But I have to oppose this amendment for the omission of clause 3. If this third clause is omitted, it will not help the Punjab agriculturist at all, and at the same time it will ruin the millers at the ports of Calcutta and Bombay.

**Some Honourable Members:** No, no.

**Mr. B. V. Jadhav:** I may point out to those gentlemen who are saying that it will not do so, that these millers in Bombay, Calcutta and Rangoon have entered into contracts for the purchase of Australian wheat, and, whether this clause 3 is retained or not, these contracts will have to be respected and delivery of the wheat when it is brought to their ports will have to be taken. And to the extent of this quantity the producer of Punjab wheat will not benefit at all. So even if the clause be taken off,

[Mr. B. V. Jadhav.]

the agriculturists or the traders of the Punjab do not benefit at all. The effect of deleting the clause will be disastrous to the millers who have made their forward contracts, and it is they who will have to pay a heavy duty to Government on the purchases made. The payment of the heavy duty will not, I say, benefit the Punjab agriculturist. Punjab wheat will not be purchased by these millers. The millers will have to use the Australian wheat purchased by them. So it is useless to say that clause 3 should be omitted. If that clause is retained, the condition of the agriculturist in the Punjab will not be worse, and if it is omitted, it will not be better. Therefore, Sir, I have to oppose this amendment.

**Several Honourable Members:** The question may now be put.

**Mr. President:** The closure has been asked for and I accept it.

The question is:

"That the question be now put."

The motion was adopted.

**The Honourable Sir George Rainy:** Sir, the main point I should like to make in opposing this amendment is this. My Honourable  
4 P.M. friend, Maulvi Muhammad Yakub, asked what was the reason that we have followed a different procedure in the case of wheat from what we usually follow in the case of protective duties and the duties imposed by the Finance Bill? These are perfectly relevant questions, but the answer is given in the Statement of Objects and Reasons and I tried to give it again when I was speaking this morning. The point really is this, that in ordinary cases when a duty is imposed, the price of the article goes up, and the merchant who has to pay the extra duty is able to get it back from his customers. In this case, owing to the large surplus of wheat in Northern India, we anticipated—and the facts have proved us to be correct—that the imposition of the duty would not be followed by higher prices, and consequently the mills, which have placed orders ahead for wheat from abroad, would not be able to recoup themselves by charging a higher price for their wheat flour. That is the answer as to why we have followed a different procedure in this case from that we usually follow in other cases.

Now, there is another point I would like to make and it is this. For the last five years the exports of wheat flour from India have averaged about 60,000 tons, and I gather that in order to make two tons of wheat flour, you must use about three tons of wheat. Therefore, the export of 60,000 tons of wheat flour represents about 90,000 tons of wheat. On the basis of the present price of wheat in India, the mills cannot hold the export trade if they have to use Indian flour. Therefore in any case and on any hypothesis some concession would have to be given to the mills to import such quantities of foreign wheat as would enable them to hold their export trade. There are various arrangements that might be possible. Now, according to the best information we have been able to get,—we have done our very best to probe the matter thoroughly—the total quantity of wheat which will be exempted from duty under the Bill is something less than 120,000 tons. That is to say, the total quantity ordered before the 1st March, for delivery after the 1st March, was about 149,000 tons; the quantity actually landed from the 1st to the 20th March was about 31,000 tons, and the balance is something like 118,000 tons.

What is proposed to be done under this Bill is very little more than would have to be done in any case if the export market of the Indian mills is to be retained. If clause 3 were omitted altogether, one result would be that the export trade would vanish, with no profit to anyone in India but a great loss to one particular industry. I think, Sir, these arguments are conclusive against the omission of the clause and I must therefore oppose the amendment.

**Mr. President:** The question is:

"That clause 3 be omitted."

The Assembly divided:

## AYES—22.

Abdul Matin Chaudhury, Mr.  
Anwar-ul-Azim, Mr. Muhammad.  
Das, Mr. A.  
Gidney, Lieut.-Colonel H. A. J.  
Harbans Singh Brar, Sirdar.  
Hari Raj Swarup, Lala.  
Ibrahim Ali Khan, Lt. Nawab  
Muhammad.  
Ismail Ali Khan, Kunwar Hajee.  
Ismail Khan, Haji Chaudhury  
Muhammad.  
Isra, Chaudhri.  
Jawahar Singh, Sardar Bahadur  
Sardar.

Liladhar Chaudhury, Se' h.  
Rajan Bakhsh Shah, Khan Bahadur  
Makhdum Syed.  
Shah Nawaz, Mian Muhammad.  
Sher Muhammad Khan Gakhar,  
Captain.  
Sohan Singh, Sirdar.  
Suhrawardy, Dr. A.  
Sykes, Mr. E. F.  
Talib Mehdi Khan, Nawab Major  
Malik.  
Yakub, Maulvi Muhammad.  
Yamin Khan, Mr. Muhammad.  
Ziauddin Ahmad, Dr.

## NOES—57.

Ahmed, Mr. K.  
Allah Baksh Khan Tiwana, Khan  
Bahadur Malik.  
Ayyangar, Diwan Bahadur V.  
Bhashyam.  
Azhar Ali, Mr. Muhammad.  
Bajpai, Mr. R. S.  
Banarji, Mr. Rajnarayan.  
Baum, Mr. E. F.  
Biswas, Mr. C. O.  
Boag, Mr. G. T.  
Chatterjee, The Revd. J. C.  
Crerar, The Honourable Sir James.  
Das, Mr. B.  
Dudhoria, Mr. Nabakumar Sing.  
Fazli-Husain, The Honourable Khan  
Bahadur Mian Sir.  
Fox, Mr. H. B.  
French, Mr. J. O.  
Ghuznavi, Mr. A. H.  
Graham, Sir Lancelot.  
Gwynne, Mr. C. W.  
Heathcote, Mr. L. V.  
Hezlett, Mr. J.  
Howell, Mr. E. B.  
Jadhav, Mr. B. V.  
Jehangir, Sir Cowasji.  
Jog, Mr. S. G.  
Khurshed Ahmad Khan, Mr.  
Kyaw Myint, U.  
Lahiri Chaudhury, Mr. D. K.

Macmillan, Mr. A. M.  
Misra, Mr. B. N.  
Mitra, Mr. S. C.  
Montgomery, Mr. H.  
Moore, Mr. Arthur.  
Morgan, Mr. G.  
Mudaliar, Diwan Bahadur A.  
Ramaswami.  
Mujumdar, Sardar G. N.  
Mukherjee, Rai Bahadur S. C.  
Munshi, Mr. Jehangir K.  
Pandit, Rao Bahadur S. R.  
Parsons, Mr. A. A. L.  
Rainy, The Honourable Sir George.  
Raisman, Mr. A.  
Rau, Mr. H. Shankar.  
Reddi, Mr. T. N. Ramakrishna.  
Roy, Kumar G. R.  
Roy, Mr. K. C.  
Sahi, Mr. Ram Prashad Narayan.  
Sams, Mr. H. A.  
Sarma, Mr. R. S.  
Schuster, The Honourable Sir George.  
Scott, Mr. J. Ramsay.  
Shillidy, Mr. J. A.  
Studd, Mr. E.  
Tin Tut, Mr.  
Unpi Sahab Bahadur, Mr.  
Walayatullah, Khan Bahadur H. M.  
Young, Mr. G. M.

The motion was negatived.

**Mr. G. Morgan:** I beg to move :

"In part (a) of sub-clause (1) of clause 3 for the figures and words '1st day of March, 1931', the figures and words '20th day of March, 1931', be substituted."

I put forward this amendment on the ground that the quantity involved between the 1st day of March and the date of the introduction of the Bill is very small. I want to be perfectly frank with this Honourable House, and I will state exactly what the figures are, and the dates on which the contracts referred to, were entered into. On the 4th March a contract for 7,000 tons was entered into by a Bombay mill and on the 9th March there was one contract by a Calcutta mill for 7,500 tons. That is the quantity which would be involved by extending the date. It is a very small quantity, but it means that those two individual buyers will have to pay six lakhs of rupees duty in cash. There is not the slightest chance of their getting a penny back; it is such a small quantity that it could not possibly affect the price of the flour to the consumer. That is all I have to say. I want to put it to the House that the quantity involved in the extension of the date is some 15,000 tons and in the hands of two particular buyers, one in Bombay and the other in Calcutta.

**An Honourable Member:** Name please.

**Mr. G. Morgan:** I am not allowed to give the name in public—the 4th March is the date of the Bombay contract and the 9th March is the date of the Calcutta contract, I leave it to the House to judge as to whether it would not be equitable to give them the benefit of the exemption as is allowed to the quantities mentioned by the Honourable the Leader of the House which come under the Bill up to the 1st March. Sir, I move my amendment.

**Sir Cowasji Jehangir:** Sir, I rise to support this amendment. This is not, as some Honourable Members would like to make out, a question which brings about a conflict of rural and urban interests. It is a pure question of equity. The House has already admitted the principle that if anybody has made a contract for the buying of wheat, ignorant of the terms of this Bill, that contract should be exempted. Unfortunately contracts made only up to the 1st March have been included in the Bill. Two contracts that we are aware of in the whole of India were made between the 1st March and the 20th March in entire ignorance. These two firms will be severely penalised. Now, Sir, it has been contended that this is introducing a new principle and that it may be a bad precedent. We have been told that Customs duties introduced for the first time are made payable on all goods whether they be ordered before the introduction of the Bill or not. But there is a great difference between this Bill and the ordinary Finance Bill moved by the Finance Member increasing the Customs duties in this country. This is a Bill which is building up a wall, absolutely excluding wheat from coming into this country.

**Maulvi Muhammad Yakub:** No, certainly not.

**Sir Cowasji Jehangir:** It is a 66 per cent. duty on wheat, and if a 66 per cent. duty on any commodity does not stop its coming into the country, may I ask what sort of duty will stop it? The price of Australian wheat today is 25 per cent. cheaper than Indian wheat. Naturally it will come

into the country. Any commodity that you can get 25 per cent. cheaper than you can produce in this country will come into the country. But if you put on a duty of 60 per cent., it wipes out that difference of 25 per cent. and it gives you an enormous margin, and no man would be foolish enough to import wheat into this country by paying a 65 per cent. duty when there are a million tons of that commodity ready for sale in this country at a much cheaper rate. Now, Sir, the point is, will this amendment do any harm to the interests of the agriculturists? It has been pointed out that this wheat is bound to come into this country whether it is exempted from duty or not. The men who have bought this wheat will have to use it and cannot replace it by the Indian wheat, and therefore how is this wheat going to compete with the Indian wheat already in this country? It is only a question of 14,000 tons. But the principle remains the same. They will bring it into the country, they will use it, and they cannot possibly replace it by Indian wheat even if you put the duty on. Then how is it going to benefit the agriculturist? It can only have the effect of making these men pay 6 lakhs of rupees on these two cargoes, which money will go into the treasury. If it could be shown that this duty would compel those who have ordered out this wheat to cancel the contracts and buy Indian wheat, I could understand the position of my Honourable friends. But it is clearly shown by the figures I will give that these contracts cannot be cancelled. The freight alone which has been secured and cannot be cancelled is 30 per cent. of the cost.

**Mr. Muhammad Yamin Khan** (Agra Division: Muhammadan Rural): At what price have these contracts been made?

**Sir Cowasji Jehangir:** Australian wheat is Rs. 3/2/- per hundred-weight as against Indian wheat at Rs. 3/14/-, a difference of 25 per cent. They have got it 25 per cent. cheaper. If they cancel it, they have already paid 30 per cent. of the value in freight. Then they have got to sell it again in Australia. That will, according to the figures given to me, entail another loss of 20 per cent. That is 50 per cent. lost on their cargo straight away. Then they will not be able to sell it in Australia; they will have to export it again from Australia to Europe. Australian wheat is cheaper in Europe than in India. They will have to bear that loss again, and therefore their loss will come to over 65 per cent. of the value of the cargo; and therefore they will have to bring it into this country, pay the duty, sell it and not buy Indian wheat to replace it.

There is another point, Sir. I understand that these millers have bought this wheat in anticipation of sales already made. They made the sales and they wired for the raw material. They have got to fulfil their contracts both ways; they have got to fulfil their contract for the sale of flour, they have got to fulfil their contract for the purchase of wheat. They cannot possibly get out of it. I would therefore appeal to Government to carry their sense of justice a little further and also exempt these small cargoes by extending the provision for exemption up to the 20th March. I cannot understand any opposition to the extension if you have accepted the principle as enunciated in clause 3. Sir, I cannot understand really why they fix the 1st March. Government must have known that when they introduced the Bill on the 20th



[Sir Cowasji Jehangir.]

March some contracts must have been made between the 1st March and the 20th March. Can it be argued that the millers or buyers of Australian wheat had any inkling that such a Bill was coming that they should be cautious? My Honourable friend, Sir Fazl-i-Husain, gave an answer in this House on the 11th February telling the public that Government did not intend to bring in a Bill imposing an import duty on wheat. Government also, I understand, sent a reply to the Indian Merchants' Chamber not more than two or three months ago stating that they had no intention of bringing in a Bill to impose an import duty on wheat. Government gave that indication; they practically invited these men to buy wheat and carry on their business in Australian wheat. Now if they change their mind nobody has any objection; but since people were led to buy this Australian wheat by the assurances given by Government by an answer in this House and by a letter written to an important Chamber, I think it is only fair that Government should extend the date to the 20th March and exempt these two cargoes also. Mind you, Sir, if after giving this answer and intimating to the public Government's intention of not moving such legislation, they do so and they do not exempt the men who have acted on their assurances, the precedent will be a bad one. We support the Bill; we will try and let you get the best you can out of the Bill. But do not do any harm to any other interests even if you cannot do any benefit to yourselves. If you are sure that this wheat is coming into the country, that it will come whatever you may do, that you cannot replace it with Indian wheat, then surely you will not insist upon penalising the two firms that have already ordered that wheat. In those circumstances I would again earnestly appeal to Government to accept this amendment and extend the date. You have accepted the principle; go a step further and do not do unnecessary damage.

**An Honourable Member:** Why not up to the 1st June?

**Sir Cowasji Jehangir:** Nobody asks that, because the Bill was moved on the 20th March. If you had moved the Bill any earlier the exemption date would have been earlier. The whole point is perfectly clear. Under the circumstances there is no intention to do anybody any harm. The agriculturists will come to no harm; no harm will be done to them if this 14,000 tons of wheat has to come into the country. They will be able to sell their Indian wheat to these people who will be absolutely precluded in the future from buying Australian wheat. As to the extension of the time, that will be entirely dependent upon Government. Let Government bring in another Bill to extend the time if necessary; if they find that the agriculturists are being assisted by this Bill, by all means extend the time. That is another matter. But this is a matter of equity and justice and I would appeal to my Honourable friends on this side and to Government to accept this amendment.

**Mian Muhammad Shah Nawaz:** Sir, I desire to make a few observations on the sanctity of these so-called contracts, so forcibly enunciated by my Honourable friend, Sir Cowasji Jehangir, who comes from Bombay. My experience in this House has shown that where the interests of the millowners of Bombay are involved, the rest of the population of India can go to the devil as long as the interests of millers are not jeopardised. What is this sanctity of contracts? I will give you an illustration, an

illustration which had set aside the most sacred contract embodied in an Act of the Legislature by the Government of India. In 1901, the Punjab Government, with the previous sanction of the Government of India, entered into a contract with the Thal proprietors of the Districts of Mianwali and Muzaffargarh in the Punjab, by virtue of which they were to give up a share of their land in the event of getting water from a canal in that tract. Partition was prohibited, cultivation was prohibited. This Project was called the "Thal Project". It was strongly recommended by the Punjab Government to the Government of India for sanction. After the lapse of 29 years the sanctity of the contract embodied in the Act of 1901, the Sind Sagar Colonisation Act, was set aside, nullified in the interests of Bombay and Sind and nullified at the instance of my friend, Sir Cowasji Jehangir, who happened to be the Revenue Member at that time for the Province of Bombay . . . . .

**Sir Cowasji Jehangir:** I cannot reply to that: it has nothing to do with this debate.

**Mian Muhammad Shah Nawaz:** It has everything to do with it.

**Sir Cowasji Jehangir:** I was merely doing my duty as a Member of the Government of Bombay, that was all.

**Mian Muhammad Shah Nawaz:** This is the sanctity of contract to which my learned friend so forcibly referred—a sanctity of contract which inflicted loss on millions of the poor people of the Thal tract and great hardship to the people of the Punjab. The sanctity of contract embodied in a solemn Act of the Legislature was set aside at the instance of my friend who now wants to rely on sanctity of contracts.

**An Honourable Member:** May I ask who are the Thal proprietors?

**Mian Muhammad Shah Nawaz:** They are the hundreds and thousands of peasant proprietors in the Thal district in the Punjab with whom the Punjab Government, with the previous sanction of the Government of India and the Secretary of State, entered into a solemn contract embodied in an Act of the Legislature. Can anybody deny that? Can Sir Cowasji Jehangir deny that fact? Is he not aware of the fact that the sanctity of contract was then nullified and set aside? This is the sanctity of contract of which the Government of India can boast and my learned friend now pleads for sanctity of contract. Where was the sanctity of contract then, when millions of people were involved and had to suffer later? Where was the sanctity of contract when millions of people invested in German marks? The German Government by one stroke of the pen absolutely deteriorated the mark and millions of people incurred losses. Was that sanctity of contract? (Hear, hear.) Sanctity of contract can come in of course for the benefit of a whole nation, of a whole country. When the French Government deteriorated the value of the franc did the sanctity of contract come in? I lost money; my family lost money; every one of us lost money and where was then the sanctity of contract? Sanctity of contract will never be followed if the ratio is lowered at the instance of my learned friends from Bombay. If you upset the whole ratio from 1s. 6d. to 1s. 4d. the millowner will be benefited and he can tell us to go to the devil or anywhere else: that is the sanctity of contract. I am surprised to hear of this sanctity of contract from the Europeans, who have combined with their supporters from Bombay. This sanctity of contract really means that individual contractors, who are already wealthy will become richer at

[Mian Muhammad Shah Nawaz.]

the expense of the agricultural population of the Punjab and Northern India. We know which way the wind blows; and we know how things are being done. The fact remains that we cannot pay our land revenue or our water rates; we cannot even eke out an existence; that is the sad state of things; after a year's labour in the fields, when we begin to reap the harvest we find that nothing is left in our pockets. Believe me, Sir, the origin of nihilism, socialism, Communism and Bolshevism lies in the stomach and if you are going to kill the agriculturists at the instance of Bombay relying on their sanctity of contract, I say it is a most immoral plea, because you want to kill millions in order to benefit a few individuals who may possibly suffer a little loss. Is that sanctity of contract? Our motto should be the greatest good for the greatest number. Now the Bengal and Bombay Governments were to contribute something like 56 and 65 lakhs of rupees, respectively, to the Central Government, and when it was remitted for a number of years, was there any sanctity of contract in that settlement or agreement? No contract can be called moral if it inflicts injury on millions of people. The contractors have no business to speculate abroad when wheat can be had so cheap in India. To make money is not the only thing in the world. Love and sympathy for your neighbours also counts, love and sympathy without which even the tongue of angels runs amiss. Millions feel distressed and distracted and some of us are interested to think about sanctity of a few contracts, real or bogus. Then, Sir, what about the partition of Bengal? It was undoubtedly a sanctity of Lord Curzon's time and it was set aside in no time. Where nations are involved, where millions of people are involved, are we going to look to the individual's contracts, contracts of a few men who may incur losses? Cannot the Government of India compensate them if they have got sanctity of contract in their hearts? Cannot the Government now say that all that will be realised from the import duty on wheat will be given to the millers or the Government of Bengal? Will you then be satisfied? Sir, I was not given an opportunity to speak on the deletion of clause 3. I make it quite clear that, as clause 3 is retained, this Bill is not acceptable to us. We are absolutely indifferent. Pass it or reject it, just as you like. Punjab is not concerned; Punjab will derive no benefit, the Government have been unkind and cruel to us and I say this Bill is an eye wash and a camouflage. Please withdraw the Bill, if not, do just as you like and pass it; we are not concerned. (Applause.)

**Mr. Muhammad Yamin Khan:** Sir, since clause 3 has not been deleted, I must make my position clear, that we are not interested at all in the Bill; whether the duty comes in or whether the duty does not come, will not affect the producer at all. I must make it clear here that some of the arguments which have been advanced by my Honourable friends over there who do not think, who do not understand and who do not try to see what this Bill is desiring and what clause 3 is aiming at without even judging themselves and led by the Bombay millowners and the people who are interested in Bombay . . . .

**Mr. D. K. Lahiri Chaudhury** (Bengal: Landholders): On a point of order, Sir. Can the Honourable Member reopen the settled question of clause 3 again?

**Mr. President:** He cannot.

**Mr. Muhammad Yamin Khan:** I am not reopening it. Whether it is given from the 1st of March or from the 20th of March, it gives no benefit to the producer. My Honourable friends must realise one thing. This is the time of harvest in India. The wheat harvest will be ready in about a month's time. No producer will be able to sell his produce after the month of June; no cultivator can carry his stock of wheat in his house after the month of June. He must sell his stock of wheat for whatever price he can get for it, because he has to pay his rent, he has to pay the money-lender, he has to make payments to other people, and therefore he must clear off his stock of wheat at whatever price he can get for it. Now at such a juncture, when the crops are ready and they are being harvested, what do we find? We find that 200,000 tons of Australian wheat is coming to India at a cheaper rate. Before the cultivator in India is able to sell his produce in the market, he finds that the prices of wheat in the Indian market are controlled by the imported wheat. The imported wheat really determines the prices of wheat in the Indian market, and this imported wheat is thrown on the market just at a time when the Indian wheat produce has to be sold by the producer. Now, if the wheat from Australia and other foreign countries had come into this country say in the month of October, one would have had no grievance whatsoever, and you could have given them any benefit you like. Probably the contracts for the supply that comes in the months of April or May might have been entered into much earlier, but the wheat will be coming in only in the months of April, May or June, and at this time the prices of wheat will be determined not by the home produce but by the imported wheat. This means that the poor Indian cultivator will have to sell all his produce at a much cheaper rate so as to face the competition with the imported wheat. Now, I asked my friend, Sir Cowasji Jehangir, at what price they purchased wheat from Australia, and he quoted certain figures, but I have definite information that contracts for May and June were made in big wheat markets like Hapur, Khurja and Ambala at the rate of 20 seers per rupee, which works out to Rs. 2 a maund. Now anybody who wanted to buy wheat at that time would have to purchase wheat at the rate of 20 seers a rupee or somewhere in that neighbourhood. Now, if my friend says that he could purchase wheat at a lower price than Rs. 2 a maund, I don't think that the millowners of Bombay and Calcutta were so foolish as not to foresee what was going to be done with the wheat that was contracted for, and if they could purchase wheat at a lower rate than this, then they would purchase the Australian wheat. Now, these rich merchants of Bombay and Calcutta enter into contracts with foreign producers against the interests of India, but are we to help them simply because they foresaw and made contracts beforehand when they knew that there was a sufficient quantity of wheat in the country itself? Instead of purchasing their requirements from India itself, these millionaires of Bombay and Calcutta go and buy from outside, and still they expect help from our country. They know very well that there is a surplus of wheat in this country which they can purchase from Lyallpur, Ambala and Hapur at less than Rs. 2 a maund. Prices sometimes had gone down to Rs. 1/14 or Rs. 1/15 a maund at Ambala and Hapur. (*An Honourable Member:* "They had gone down to Rs. 1-8-0 at Lyallpur"). My friend says that at Lyallpur the price of wheat had gone down to Rs. 1-8-0 per maund. Now, if wheat could be had at Rs. 1-8-0 per maund at Lyallpur, why could not these people, who could command

[Mr. Muhammad Yamin Khan.]

huge capital, purchase their stocks of wheat from India itself? Why did they place their orders with Australia and other foreign countries? Their idea was merely to control the prices of wheat in India, and nothing else. These gentlemen have been working against the interests of the country, and still my friend Sir Cowasji Jehangir, wants more help from Government. Sir, it is an anomaly when they say that they are going to import only a small quantity. It is not a small quantity at all. They are going to get about 2 lakhs of tons, and these people say this is a small quantity, that is their plea. I submit, Sir, that these import of these 200,000 tons of wheat will affect the prices very considerably. There is one great danger which the House has not realised, and it is this. If wheat becomes cheaper, if the prices of wheat go down, the people who have cultivated certain lands will never care to go near these lands at all. There are certain lands which . . .

**Mr. President:** The Honourable Member is going wide apart from the main issue before the House. The main issue before the House is that contracts made between the 1st of March and the 20th of March should be exempted from this duty, and there is no other issue before the House.

**Mr. Muhammad Yamin Khan:** I am, Sir, on that issue now. I am opposing the inclusion of clause 3 on this ground that if you give help to these people, it will have a very great effect on the wheat producer in India, because we must pay for every inch of land. In a village where we have 30 years' settlement, we have to pay land revenue on each and every bit of land, every acre is taxed, and so if a zemindar finds that the land which produces 2 maunds of wheat per bigha will not be cultivated by any cultivator, he will have to leave it fallow, because for 2 maunds of produce he will get only Rs. 4 per acre. So if he is getting Rs. 4 only, it will be quite insufficient for the cultivator, because he has to look after his cattle, his servants and he has also to maintain himself, and if he cultivates say 10 bighas of land of this kind, it means he can only get about Rs. 40, and if he gets only Rs. 40 throughout the year, he will never be able to live on that sum. Therefore, naturally he will desert his fields and come and seek some sort of menial employment in Delhi or some other places. This will mean, Sir, an immense loss to the productive wealth of India. and if it is bringing a loss to the productive wealth of India we cannot afford to give this relief to a few persons like my friend, Sir Cowasji Jehangir (*An Honourable Member*: "He is not interested in it"). I mean those people who come from Bombay and Calcutta. We have to look to the wider interests of the country as a whole and not to the smaller interests of a few persons who can command huge capital. If they don't make so much money by this means, probably they will not be able to purchase a new Rolls Royce car next year, but they can certainly afford to remain without purchasing new cars if they really consider the case of the poor people who will be struggling with hunger in their hundreds.

Then, Sir, another point which my friend wants by this little help . . .

**Mr. President:** I take it that the Honourable Member's position is that all these consequences will result if the date of the exemption of wheat contracts is charged from the 1st to the 20th March,

**Mr. Muhammad Yamin Khan:** These 20 days,—that means an immense loss. These people may be purchasing at a lower rate, while the other people who make contracts after the 20th March may do so at different rates. It means that there will be a difference in prices of wheat contracted for between the 1st and 20th, and after the 20th March. This amount my Honourable friend wants should go into the pockets of those people who are now dealing in this business. That I oppose. That will be giving them undue advantage as against those who will be placing their orders after the 20th March, and therefore I could not support this. Not only are you going to give undue advantage to those people, but you will be indirectly helping the ruin of the agricultural industry in this country.

(At this stage several Honourable Members tried to interrupt the speaker.)

My Honourable friend was not so impatient when the income-tax touched his pocket.

**Mr. D. K. Lahiri Chaudhury:** What about kerosene, my dear friend?

**An Honourable Member:** Vote with Government.

**Mr. President:** Order, order. The Honourable Member will please go on with his remarks. He is entitled to go on as long as he likes. (Laughter.)

**Mr. Muhammad Yamin Khan:** Unfortunately I cannot set forth all those arguments which I could have done before the House on the last clause. I am not going to place them, but even the little help I can give to the producer I will be the last man to deny. In my remarks, I was only trying to expose those people who are trying to benefit themselves at the expense of the poorer classes.

**Several Honourable Members:** Let the question be now put.

**Mr. President:** The question is that the question be now put.

The motion was adopted.

**The Honourable Sir George Rainy:** I regret that Government cannot see their way to accept the amendment moved by my Honourable friend. As regards the quantity of wheat for which orders may have been placed between the 1st and the 20th March, I understand that my Honourable friends, Mr. Morgan and Sir Cowasji Jehangir, place it at about 17,500 tons or a little less. The information Government have received from the Director General of Commercial Intelligence puts it at 20,000 to 24,000 tons, and that excludes any contracts that may have been made from Karachi or Rangoon. But, in addition to that, Government have considered the matter carefully more than once, and they came to the conclusion that it was desirable to draw the line at the 1st March. There can be no question that from about the 1st March a number of rumours got into circulation as to Government's intentions, and Government are apprehensive that they have got nothing like full information as to the contracts which may have been made during those three weeks, not by mills—I have no doubt we have all their information—but by others who may have entered into contracts which might fairly be described as speculative. Government feel that they have gone as far as they could when they fixed the date as 1st March, and they do not see their way to agree that the date should now be altered to the 20th March.

**Mr. President:** The question is:

"In part (a) of sub-clause (1) of clause 3 for the figures and words '1st day of March, 1931' the figures and words '20th day of March, 1931' be substituted."

The Assembly divided:

AYES—26.

Abdul Matin Chaudhury, Mr.  
Abdur Rahim, Sir  
Biswas, Mr. C. C.  
Cocke, Sir Hugh.  
Das, Mr. B.  
Fox, Mr. H. B.  
Ghuznavi, Mr. A. H.  
Gidney, Lieut.-Colonel H. A. J.  
Heathcote, Mr. L. V.  
Ismail Khan, Haji Chaudhury  
Muhammad.  
Jadhav, Mr. B. V.  
Jehangir, Sir Cowasji.  
Jog, Mr. S. G.  
Lahiri Chaudhury, Mr. D. K.

Misra, Mr. B. N.  
Mitra, Mr. S. C.  
Moore, Mr. Arthur.  
Morgan, Mr. G.  
Mudaliar, Diwan Bahadur A.  
Ramaswami.  
Munshi, Mr. Jehangir K.  
Murtuza Saheb Bahadur, Maulvi  
Sayyid.  
Roy, Kumar G. R.  
Sarma, Mr. R. S.  
Sitaramaraju, Mr. B.  
Studd, Mr. E.  
Suhrawardy, Dr. A.

NOES—50.

Ahmed, Mr. K.  
Allah Baksh Khan Tiwana, Khan  
Bahadur Malik.  
Anklesaria, Mr. N. N.  
Anwar-ul-Azim, Mr. Muhammad.  
Ayyangar, Diwan Bahadur V.  
Bhashyam.  
Bajpai, Mr. R. S.  
Banarji, Mr. Rajnarayan  
Baum, Mr. E. F.  
Bhuput Singh, Mr.  
Boag, Mr. G. T.  
Chatterjee, The Revd. J. C.  
Crerar, The Honourable Sir James.  
Dutt, Mr. Amar Nath.  
Fazl-i-Husain, The Honourable Khan  
Bahadur Mian Sir.  
French, Mr. J. C.  
Graham, Sir Lancelot.  
Gwynne, Mr. C. W.  
Harbans Singh Brar, Sirdar.  
Hari Raj Swarup, Lala.  
Hezlett, Mr. J.  
Howell, Mr. E. B.  
Jawahar Singh, Sardar Bahadur  
Sardar.  
Khurshed Ahmad Khan, Mr.  
Krishnamachariar, Raja Bahadur G.

Liladhar Chaudhury, Seth.  
Macmillan, Mr. A. M.  
Montgomery, Mr. H.  
Mujumdar, Sardar G. N.  
Mukherjee, Rai Bahadur S. C.  
Pandit, Rao Bahadur S. R.  
Parsons, Mr. A. A. L.  
Rainy, The Honourable Sir George.  
Raisman, Mr. A.  
Rangachariar, Dewan Bahadur T.  
Rau, Mr. H. Shankar.  
Roy, Mr. K. C.  
Sahi, Mr. Ram Prashad Narayan.  
Sams, Mr. H. A.  
Sarda, Rai Sahib Harbilas.  
Schuster, The Honourable Sir George.  
Sher Muhammad Khan Gakhar,  
Captain.  
Shillidy, Mr. J. A.  
Singh, Kumar Gupteshwar Prasad.  
Singh, Mr. Gaya Prasad.  
Sykes, Mr. E. F.  
Tin Tüt, Mr.  
Walayatullah, Khan Bahadur H. M.  
Yakub, Maulvi Muhammad.  
Young, Mr. G. M.  
Ziauddin Ahmad, Dr.

The motion was negatived.

**Mr. President:** I should like to ask Honourable Members whether they wish to sit late today and finish this Bill. I am inclined to think that it would be desirable to sit late this evening and finish this Bill, in order that the session may not be unduly prolonged.

(Other amendments to clause 3 were not moved.)

**Mr. President:** The question is that clause 3 stand part of the Bill.

The motion was adopted.

Clause 3 was added to the Bill.

**Mr. G. Morgan:** I move:

"That after clause 3 the following clause be inserted :

- '4. Notwithstanding anything contained in Part V of Schedule II to the Indian  
 Duty of Customs on wheat      Tariff Act, 1894, or in section 4 of the Indian  
    flour,                                      Finance Act, 1931, the duty of customs to be  
 levied and collected on wheat flour imported into any port to which this  
 Act applies, shall be at the rate of two rupees per hundredweight'."

I am not going to make a speech about this because I think every one in this Honourable House understands exactly what this new clause means. The duty on imported wheat is now rupees two a hundredweight. The duty on flour under the Indian Finance Act, 1931, is 20 per cent. and therefore the difference between 65 and 20 per cent. is very considerable and I have received communications from all parts of India pressing for a higher duty on flour, as competition is greatly feared if this difference in duty were to continue. People may say that it is very doubtful indeed but when you think that Australian flour is imported into all ports close to the Bay of Bengal and Burma, it does not want much imagination to see that a few hundred miles further, which would not cost very much in the way of freight, would enable the flour milling industry of Australia to compete successfully with Indian mills and the purchase of Indian wheat would be curtailed to the extent of the competition with Australian flour. Sir, I move this amendment for the consideration of this Honourable House.

**Maulvi Muhammad Yakub:** Sir, the amendment moved by my Honourable friend is quite just and equitable. We, Sir, are not selfish like the Bombay and Calcutta millowners, and therefore if anything which is just and equitable comes from any quarter,—it may come even from my Honourable friends of the European Group—we are quite prepared to accept it.

**The Honourable Sir George Rainy:** Mr. President, it may perhaps save time if I intimate at once that Government are prepared to accept this amendment. Their original view was that, with the probable level of wheat prices in India, there would be no occasion for a higher duty on flour, but, after reconsidering the matter, they came to the conclusion that it could not be said that the danger of the importation of flour from abroad was negligible, and that the right thing would be to extend the duty from wheat to wheat flour. That practically covers I think all I need say on the point. It does not seem likely that the new duty will raise the price of flour to the consumer to a larger extent than the original duty raises the price of wheat.

**Mr. President:** The question is:

"That after clause 3 the following clause be inserted :

- '4. Notwithstanding anything contained in Part V of Schedule II to the Indian  
 Duty of Customs on wheat      Tariff Act, 1894, or in section 4 of the Indian  
    flour,                                      Finance Act, 1931, the duty of customs to be  
 levied and collected on wheat flour imported into any port to which this  
 Act applies, shall be at the rate of two rupees per hundredweight'."

The motion was adopted.



**Mr. President:** The question is:

"That new clause 4 do stand part of the Bill."

The motion was adopted.

New clause 4 was added to the Bill.

**Mr. G. Morgan:** Sir, I beg to move:

"That clause 4 be re-numbered as sub-clause (1) of clause 5, and to that clause as so re-numbered the following sub-clause be added:

(2) If, after such inquiry as he thinks necessary, the Governor General in Council is of opinion that the duty of customs imposed by section 4 is excessive he may, by notification in the Gazette of India,—

(a) reduce such duty to such extent as he thinks fit but not so as to make it lower than an *ad valorem* duty of twenty per cent., or

(b) declare that section 4 shall cease to have effect'."

Sir, I do not think I need say anything beyond this that this follows from the acceptance of new clause 4. Sir, I move.

**Diwan Bahadur T. Rangachariar** (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Sir, I object to this amendment on principle. Here is a Legislative Assembly asked to give its vote for a particular tariff, and the Assembly has been convinced that the imposition of that tariff is necessary in the interests of the protection of the public. The object of this clause is to clothe the executive with the power to change the vote of the Legislature. This is only a temporary measure, intended to be operative for a year only, and in the course of that year it is intended that the executive should interfere with the vote of the Legislature, on its being satisfied that that course is necessary after such inquiry as it thinks fit to make. It appears to be vicious in principle. Sir, this sort of giving the executive power to override the Legislature has been severely commented upon by recent writers on legislative methods. Sir, I do not think it is an occasion where the executive should be entrusted with this power. The executive has been halting and hesitating in introducing measures of this sort, and they have satisfied the Assembly that there is need for this high protective tariff, and they have taken care to see that this is temporary for one year only. So, Sir, there is absolutely no need for the Legislature to clothe the executive with the power to reduce it at their pleasure. If really there happens to be need for it, let them come to the Assembly with the facts, and if they are such that the legislation should be modified, that can be done. Sir, I refuse to be a party to such sort of clothing the executive with this power.

**Diwan Bahadur A. Ramaswami Mudaliar:** Sir, I rise to support the objection voiced by the Honourable the Leader of the Nationalist Party. A new clause 4 has been introduced, and to this a sub-section has now been added. Sir, we cannot be parties to arming the executive with the power to increase or reduce these duties at their will and pleasure. The clause no doubt gives them power to reduce the duties. If a case is made

out for reduction, I do think they ought to come up to this House, and if that reduction is to be carried out, it should be carried out by a vote of this Legislature. Surely, before September next an emergency of this kind is not going to arise, and if within six months of the working of this Act there are considerations brought to the notice of the Government, I feel that those considerations ought to be placed before this House at the Simla Session and that they should then if necessary be asked to amend the decision which they have now come to. Sir, I oppose both clause 4 as it stands and the further addition that Mr. Morgan has moved to it.

**The Honourable Sir George Rainy:** I think, Sir, that my Honourable friends opposite are unduly apprehensive both as to clause 4 of the Bill—I am giving the number of the clause in the Bill as originally introduced—and as regards this particular amendment. The reason why clause 4 has been included in the Bill is to be found in the fact that the duty on wheat has been fixed at a very high rate. The ordinary protective duties are fixed so as to adjust the difference between the fair selling prices and the prices at which goods are likely to be imported from abroad. But here we are in a totally different position, for we are proposing a rate of duty which to all intents and purposes makes imports entirely unprofitable. That being so, there is always a danger that the surplus in Northern India might be exhausted, and that then the increase in the price to the consumer in the more distant parts of the country might be really serious.

**Diwan Bahadur A. Ramaswami Mudaliar:** In the course of one year?

**The Honourable Sir George Rainy:** I do not myself consider that it is a very probable contingency, but it is a contingency, which has to be provided against, and I do not see, Sir, how Government can give way to the objections which have been urged. It is a matter in which we should certainly not wish to proceed hastily. Personally, I should desire to be very fully informed not only of the facts but of the opinions of all those who might be interested in the question before action was taken. If any Honourable Member is under the apprehension that the Government are likely to act suddenly or unexpectedly, he is under a total misapprehension of our attitude. I think it would in any case be desirable that before action was taken, there should be full consultation with the trade, with those who represent the interests of the cultivators, and with others. I think it is also a matter on which I should wish to consult the Standing Advisory Committee of the Commerce Department. That practically exhausts what I have to say, Sir. I think Government must adhere to the provisions of the clause as they introduced it, subject to the consequential change which my Honourable friend, Mr. Morgan, has proposed.

**Mr. President:** The question is:

"That clause 4 be re-numbered as sub-clause (1) of clause 5, and to that clause as so re-numbered the following sub-clause be added:

'(2) If, after such inquiry as he thinks necessary, the Governor General in Council is of opinion that the duty of customs imposed by section 4 is excessive he may, by notification in the Gazette of India,—

(a) reduce such duty to such extent as he thinks fit but not so as to make it lower than an *ad valorem* duty of twenty per cent., or

(b) declare that section 4 shall cease to have effect'."

The Assembly divided :

AYES—45.

Ahmed, Mr. K.  
 Allah Baksh Khan Tiwana, Khan  
     Bahadur Malik.  
 Anklesaria, Mr. N. N.  
 Ayyangar, Diwan Bahadur V.  
     Bhashyam.  
 Bajpai, Mr. R. S.  
 Banarji, Mr. Rajnarayan.  
 Baum, Mr. E. F.  
 Boag, Mr. G. T.  
 Chatterjee, The Revd. J. C.  
 Crerar, The Honourable Sir James.  
 Fazl-i-Husain, The Honourable Khan  
     Bahadur Mian Sir.  
 Fox, Mr. H. B.  
 French, Mr. J. C.  
 Ghuznavi, Mr. A. H.  
 Gidney, Lieut.-Colonel H. A. J.  
 Graham, Sir Lancelot.  
 Gwynne, Mr. C. W.  
 Heathcote, Mr. L. V.  
 Hezlett, Mr. J.  
 Howell, Mr. E. B.  
 Jawahar Singh, Sardar Bahadur  
     Sardar.

Joshi, Mr. N. M.  
 Khurshed Ahmad Khan, Mr.  
 Macmillan, Mr. A. M.  
 Montgomery, Mr. H.  
 Moore, Mr. Arthur.  
 Morgan, Mr. G.  
 Mukherjee, Rai Bahadur, S. O.  
 Parsons, Mr. A. A. L.  
 Rainy, The Honourable Sir George.  
 Raisman, Mr. A.  
 Rau, Mr. H. Shankar.  
 Roy, Kumar G. R.  
 Roy, Mr. K. C.  
 Sahi, Mr. Ram Prashad Narayan.  
 Sams, Mr. H. A.  
 Sarma, Mr. R. S.  
 Schuster, The Honourable Sir George.  
 Sher Muhammad Khan Gakhar,  
     Captain.  
 Shillidy, Mr. J. A.  
 Studd, Mr. E.  
 Suhrawardy, Dr. A.  
 Sykes, Mr. E. F.  
 Tin Tut, Mr.  
 Young, Mr. G. M.

NOES—34.

Abdul Matin Chaudhury, Mr.  
 Abdur Rahim, Sir.  
 Anwar-ul-Azim, Mr. Muhammad.  
 Azhar Ali, Mr. Muhammad.  
 Bhuput Singh, Mr.  
 Biswas, Mr. C. C.  
 Das, Mr. B.  
 Dudhoria, Mr. Nabakumar Singh.  
 Dutt, Mr. Amar Nath.  
 Gunjal, Mr. N. R.  
 Harbans Singh Brar, Sirdar.  
 Hari Raj Swarup Lala.  
 Jadhav, Mr. B. V.  
 Jehangir, Sir Cowasji.  
 Jog, Mr. S. G.  
 Kyaw Myint, U.  
 Lahiri Chaudhury, Mr. D. K.  
 Liladhar Chaudhury, Seth.

Misra, Mr. B. N.  
 Mitra, Mr. S. C.  
 Mudaliar, Diwan Bahadur A.  
     Ramaswami.  
 Mujumdar, Sardar G. N.  
 Munshi, Mr. Jehangir K.  
 Murtuza Saheb Bahadur, Maulvi  
     Sayyid.  
 Pandit, Rao Bahadur S. R.  
 Rangachariar, Dewan Bahadur T.  
 Sarda, Rai Sahib Harbilas.  
 Shah Nawaz, Mian Muhammad.  
 Singh, Mr. Gaya Prasad.  
 Sitaramaraju, Mr. B.  
 Thampan, Mr. K. P.  
 Walayatullah, Khan Bahadur H M.  
 Yakub, Maulvi Muhammad.  
 Ziauddin Ahmad, Dr.

The motion was adopted.

**Mr. President:** According to the amendment just accepted, clause 4 has become clause 5 and it has been amended. Therefore, the question is:

"That clause 5, as amended, stand part of the Bill."

The Assembly divided:

AYES—46.

Ahmed, Mr. K.  
 Allah Baksh Khan Tiwana, Khan  
 Bahadur Malik.  
 Anklesaria, Mr. N. N.  
 Ayyangar, Diwan Bahadur V.  
 Bhashyam.  
 Bajpai, Mr. R. S.  
 Banarji, Mr. Rajnarayan.  
 Baum, Mr. E. F.  
 Bong, Mr. G. T.  
 Chatterjee, The Revd. J. C.  
 Crerar, The Honourable Sir James.  
 Fazl-i-Husain, The Honourable Khan  
 Bahadur Mian Sir  
 Fox, Mr. H. B.  
 French, Mr. J. C.  
 Ghuznavi, Mr. A. H.  
 Gidney, Lieut.-Colonel H. A. J.  
 Graham, Sir Lancelot.  
 Gwynne, Mr. C. W.  
 Heathcote, Mr. L. V.  
 Hezlett, Mr. J.  
 Howell, Mr. E. B.  
 Jawahar Singh, Sardar Bahadur  
 Sardar.  
 Joshi, Mr. N. M.

Khurshed Ahmad Khan, Mr.  
 Macmillan, Mr. A. M.  
 Montgomery, Mr. H.  
 Moore, Mr. Arthur.  
 Morgan, Mr. G.  
 Mukherjee, Rai Bahadur S. C.  
 Parsons, Mr. A. A. L.  
 Rainy, The Honourable Sir George.  
 Raisman, Mr. A.  
 Rau, Mr. H. Shankar.  
 Roy, Kumar G. R.  
 Roy, Mr. K. C.  
 Sahi, Mr. Ram Prashad Narayan.  
 Sams, Mr. H. A.  
 Sarma, Mr. R. S.  
 Schuster, The Honourable Sir George.  
 Scott, Mr. J. Ramsay.  
 Sher Muhammad Khan Gakhar,  
 Captain.  
 Skillidy, Mr. J. A.  
 Studd, Mr. E.  
 Suhrawardy, Dr. A.  
 Sykes, Mr. E. F.  
 Tin Tut, Mr.  
 Young, Mr. G. M.

NOES—34.

Abdul Matin Chaudhury, Mr.  
 Abdur Rahim, Sir.  
 Anwar-ul-Azim, Mr. Muhammad.  
 Azhar Ali, Mr. Muhammad.  
 Bhuput Singh, Mr.  
 Biswas, Mr. C. C.  
 Das, Mr. B.  
 Dudhoria, Mr. Nabakumar Sing.  
 Dutt, Mr. Amar Nath.  
 Gunjal, Mr. N. R.  
 Harbans Singh Brar, Sirdar.  
 Hari Raj Swarup, Lala.  
 Ismail Ali Khan, Kunwar Hajee.  
 Jadhav, Mr. B. V.  
 Jehangir, Sir Cowasji.  
 Jog, Mr. S. G.  
 Kyaw Myint, U.  
 Lahiri Chaudhury, Mr. D. K.

Liladhar Chaudhury, Seth.  
 Misra, Mr. B. N.  
 Mitra, Mr. S. C.  
 Mudaliar, Diwan Bahadur A.  
 Ramaswami.  
 Mujumdar, Sardar G. N.  
 Munshi, Mr. Jehangir K.  
 Pandit, Rao Bahadur S. R.  
 Rangachariar, Dewan Bahadur T.  
 Sarda, Rai Sahib Harbilas.  
 Shah Nawaz, Mian Muhammad.  
 Singh, Mr. Gaya Prasad.  
 Sitaramaraju, Mr. B.  
 Thampan, Mr. K. P.  
 Walayatullah, Khan Bahadur H. M.  
 Yakub, Maulvi Muhammad.  
 Ziauddin Ahmad, Dr.

The motion was adopted.

Clause 5, as amended, was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

**The Honourable Sir George Rainy:** Sir, I move that the Bill, as amended, be passed.

**Mian Muhammad Shah Nawaz:** Sir, before the Bill is passed I desire to make a few observations. On behalf of the Members from the Punjab and the United Provinces, I am authorised to say that we are no longer interested in this Bill. With clause 3 in it, we believe that the Bill

[Mian Muhammad Shah Nawaz.]

will serve no useful purpose; it will not benefit us and we believe it is a camouflage. There is a proverb in Persian which says:

*Chu áh az sarguzasht,*

*Cheh yak néza cheh yak dast.*

"When the water has risen above your head, it makes no difference whether it rises one inch or one yard, because in any case you will be drowned."

With these remarks I leave the Bill. It may be passed or rejected just as the House likes.

**Sirdar Harbans Singh Brar:** Sir, I support what Mian Shah Nawaz has said on behalf of the Punjab Members. I want to bring home to Government that if they carry out their present policy of driving the peasantry of India to desperation, the time will soon come when Communism not by choice or conviction but by force of circumstances will be the order of the day; and when an account is taken, it will not be the Congress or the Members on these Benches who will be responsible, but the Members on the Treasury Benches, for uprooting the very foundations of His Britannic Majesty's Empire in India. They must now take account of it and not drive the peasantry of India to desperation. We are indifferent to the Bill as it stands. It does not interest us in any way. It will simply benefit Andrew Yule and Co., and Ralli Brothers and the European community and the mill magnates. They are doing the same as they did in the case of the steel industry. They are not benefiting the poor people of India but only the rich. We are indifferent to the Bill and will take no further part in it.

**Mr. President:** The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock, on Wednesday, the 1st April, 1931.

# LEGISLATIVE ASSEMBLY.

Wednesday, 1st April, 1931.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

## UNSTARRED QUESTIONS AND ANSWERS.

### RENT FREE BUNGALOWS PROVIDED FOR THE MANAGERS OF GOVERNMENT OF INDIA PRESSES.

426. **Mr. S. C. Mitra:** (a) Will Government be pleased to state if the Managers of the Government of India Presses, Calcutta, Delhi, Simla and Aligarh are provided with rent free bungalows? If so, is it a fact that the concession of rent is not taken into account in assessing income-tax?

(b) Is it a fact that the Press Managers of the Delhi and Simla Presses have been allowed refund of income-tax because they declared in the refund of income-tax form that no such concession was allowed to them? Is it a fact that they have been allowed such concession?

(c) Have Government made any inquiries on the subject? If not, what steps do Government propose to take to recover Government dues from the officers concerned?

**The Honourable Sir George Schuster:** (a) The Managers of the Presses referred to are provided with rent free bungalows. Under sub-section (1) of section 7 of the Indian Income-tax Act, 1922, the term "salaries" includes perquisites; and the *Explanation* to that section lays it down that the right of a person to occupy free of rent as a place of residence any premises provided by his employer is a perquisite for the purpose of that sub-section.

(b) and (c). The Government of India will enquire whether the facts are as suggested in part (b) of the question; and will take any action that may be found to be necessary.

### CLERKS EMPLOYED IN THE GOVERNMENT OF INDIA PRESS, SIMLA.

427. **Mr. S. C. Mitra:** Will Government be pleased to state the number of clerks employed in the Government of India Press, Simla, and how many of them, if any, are the brothers and relatives of the Head Clerk?

**Mr. J. A. Shillidy:** Enquiries are being made.

### ALLEGED EMPLOYMENT ON PRIVATE WORK FOR THE MANAGER OF EMPLOYEES OF THE GOVERNMENT OF INDIA PRESS, SIMLA.

428. **Mr. S. C. Mitra:** Is it a fact that in the Government of India Press, Simla, six forme-carriers are required to work on Sundays at the Manager's bungalow to drive his rickshaw, preparing tennis court and doing other domestic work and are thus deprived of a weekly holiday, which is

compulsory under the Factories Act? If so, what steps do Government propose to take to prevent the Manager from requiring the workers to do his private work on Sundays?

**Mr. J. A. Shillidy:** Government have no information, but they are asking the Controller of Printing and Stationery to enquire into the allegations contained in the question.

**ALLEGED EMPLOYMENT ON PRIVATE WORK FOR THE MANAGER OF AN  
EMPLOYEE OF THE GOVERNMENT OF INDIA PRESS, DELHI.**

429. **Mr. S. C. Mitra:** (a) Will Government be pleased to state if it is a fact that the pay of bearers and *khansamas* of the Manager, Government of India Press, Delhi, is paid out of Government funds?

(b) Is it a fact that one Pyare is employed by the Manager of the Delhi Press as bearer in his bungalow and his pay is drawn from contingent bills by showing Pyare as sweeper in the Press establishment?

(c) Is it a fact that Pyare never attends the Press for work except for drawing his pay?

(d) Is it a fact that the said Pyare is supplied liveries also from Government funds? If so, why?

**Mr. J. A. Shillidy:** Enquiries are being made.

**FALSIFICATION OF ACCOUNTS, ETC., IN THE GOVERNMENT OF INDIA  
PRESS, DELHI.**

430. **Mr. S. C. Mitra:** (a) Will Government be pleased to state if they are aware that a case of falsification of accounts, preparing of false balance sheets and stock lists, forging supply vouchers and indents and misappropriation of sale money of the Gazette of India and other books has occurred in the 1928-29 and 1929-30 accounts of the Gazette Section of the Government Press, Delhi? If so, is it a fact that the matter has not been reported to the higher authorities and the case hushed up by the Manager after discussing the matter with the relatives of the guilty persons at his bungalow?

(b) What are the names of the assistants and clerks implicated in the falsifications and what action do Government propose to take against the persons who misappropriated Government funds and falsified the accounts?

**Mr. J. A. Shillidy:** (a) and (b). Certain irregularities in the accounts of the Forms and Publication Branch of the Government of India Press, Delhi, have been brought to the notice of the Controller of Printing by the Manager, who is still investigating the matter.

**PROMOTIONS IN THE GOVERNMENT OF INDIA PRESS, DELHI.**

431. **Mr. S. C. Mitra:** Is it a fact that in letter No. A.-220, dated the 31st October, 1928, from the Government of India, Department of Industries and Labour, instructions were issued to the Manager of the Delhi Press that it should be observed as a definite rule that the senior men on the temporary establishment should be absorbed in future permanent posts in preference to junior men? If so, is it a fact that one Mr. Khalil has been promoted to the permanent establishment in supersession of about six long service temporary clerks (both Hindus and Muslims) contrary to Government orders? If so, why?

**Mr. J. A. Shillidy:** The orders of the Government of India are that the senior men on the temporary establishment in the Government of India Presses should be absorbed in future permanent posts in preference to junior men unless they are found to be inefficient. Government have no reason to suppose that the above orders are not being followed in the Government of India Press, Delhi.

#### SUPPLY OF UNIFORMS TO POSTMEN IN MADRAS.

432. **Mr. C. S. Ranga Iyer:** Will Government be pleased to state whether it is a fact that the supply of uniforms to postmen and lower grade staff in the Madras General Post Office is long overdue? If so, do they intend to expedite supply? If not, why not?

**Mr. H. A. Sams:** Government have no information.

#### COMPLAINTS AGAINST KHAN SAHIB S. M. YUSIF QURAESHI, SUPERINTENDENT, RAILWAY MAIL SERVICE, ALLAHABAD, OF COMMUNAL BIAS AGAINST HINDUS.

433. **Bhai Parmanand Devta Sarup:** (a) Is it not a fact that the Director-General, Posts and Telegraphs, in his communication No. 10-F. B. S./30 dated the 8th September, 1930, has ordered Heads of Circles to avoid unnecessary transfers in order to effect economy in view of the heavy deficit in Postal revenue?

(b) Has the attention of Government been drawn to the serious complaints against Khan Sahib S. M. Yusif Quraeshi, Superintendent, Railway Mail Service, recently transferred to Railway Mail Service "A" Division, Allahabad, published in *General Letter* No. 1 of January, 1931, issued by the All-India (including Burma) Postal and Railway Mail Service Union, Railway Mail Service "A" Division Branch?

(c) Is it a fact that the allegations against Khan Sahib Quraeshi were brought to the notice of the Postmaster-General, United Provinces, and the Director-General of Posts and Telegraphs by a telegraphic representation sent by the President, Railway Mail Service "A" Division Branch Union and an inquiry at Allahabad was demanded?

(d) If the reply to parts (b) and (c) be in the affirmative, were inquiries made into complaints and with what results?

(e) Is it a fact that soon after assuming charge of the Division, Khan Sahib Quraeshi transferred the entire staff of his office and imported in their place new sorters? If so, will Government please state the reasons for such wholesale transfers and furnish the names of the officials who were thus transferred as well as of those who were brought in to take their places?

(f) Is it a fact that the following transfers have been effected under the orders of Khan Sahib Quraeshi:

(i) B. Shiv Dayal Dubey, S.R.C., Shikohabad transferred to Muttra to make room for Ishad Mohammad Khan Quadre from Jhansi;

(ii) Hari Singh, S.R.S., Muttra transferred to Jhansi;



[Bhai Parmanand Devta Sarup.]

- (iii) B. Ramji Das transferred from Delhi Railway Mail Service (T. D. Branch) to A.-19 Section to make room for Mohammad Sharif Khan, Subsidiary sorter, A.-19 Section;
- (iv) S. K. Sahani, Checker, Benares Railway Mail Service, transferred to make room for Mohammad Husain, Sorter A.-1;
- (v) Moti Ram Vaishya, B.L., Assistant S.R.C., transferred to make room for Umar Daraz Khan, Sorter, Agra Fort Railway Mail Service; and
- (vi) B. Sitaram, Assistant Accountant, Railway Mail Service, transferred from Allahabad to make room for Shakhawat Ali, sub-record clerk at Moghalserai?

(g) If the reply to part (f) be in the affirmative, will Government please state the principle on which so many transfers were effected within a comparatively short time?

(h) Is it a fact that since the above cases were brought to the notice of the authorities Khan Sahib Quraeshi has issued orders for the transfer of a large number of sorters from Allahabad? If so, will Government be pleased to state the names and designations of the sorters so transferred and of those who have been ordered to relieve them?

(i) If the transfers referred to in part (h) have not yet been effected, are Government prepared to stop the transfers in view of the heavy deficit in Postal revenues?

(j) Is it a fact that Khan Sahib S. M. Yusif Quraeshi was transferred from Sind and Baluchistan Circle as a result of a complaint about his attitude towards Hindu officials?

(k) What action do Government propose to take to safeguard the interests of the Hindu officials in the division of Khan Sahib Quraeshi?

**Mr. J. A. Shillidy:** (a) The Director-General issued orders impressing on officers the need in the interests of economy for avoiding transfers, which by forethought and planning of postings might be obviated.

(b) Yes.

(c) to (i) and (k). The questions raised are within the competence of the Postmaster-General, to whom officers who feel aggrieved can always make their representations.

(j) No.

#### SHORT NOTICE QUESTION AND ANSWER.

##### EXAMINATION OF THE ARABIC PAPER AT THE FINANCE SERVICES EXAMINATION.

**Nawab Major Ma'ik Talib Mohdi Khan:** (a) Has the attention of Government been drawn to the leading article in the *Muslim Outlook* bearing the date, 21st March, 1931, headed "Discouraging Arabic"?

(b) If so, are Government prepared to have the paper in Arabic in the Finance Services Examination recently held re-examined and the result of such re-examination made public?

**The Honourable S'r George Schuster:** (a) Yes, as a result of the Honourable Member's question.

(b) I have ascertained that the facts in the case are that only 11 candidates out of 199 took Arabic at the examination and that the highest position in the whole examination secured by any of these 11 candidates was 82nd, so that he would not have succeeded even if his marks in Arabic had been greatly increased.

I think these facts are sufficient to show that the implications of the article referred to are incorrect, but I have called the attention of the Public Service Commission to the matter.

**Dr. Ziauddin Ahmad:** May I ask whether the Public Service Commission take any steps in revising the marks of a parallel examination to the same scale, because that is the thing which is very commonly done, that is, if a particular examiner happens to be extremely lenient or extremely strict, then the marks are always reduced to the same scales?

**The Honourable Sir George Schuster:** I am afraid I must ask for notice of that question.

**Dr. Ziauddin Ahmad:** I have given notice of this question before. (Laughter.)

**Maulvi Muhammad Yakub:** May I ask a supplementary question? The question is not whether the candidates who obtained a small number of marks in Arabic would have obtained their position or not; the question is whether it is a fact or not that the examiners were very strict and hard upon the candidates who had Arabic as one of their subjects in the examination. Will Government make an inquiry and find out if particular hardship was done to the candidates who took Arabic or not?

**The Honourable Sir George Schuster:** According to the information that I have been able to elicit, the facts are not as suggested by my Honourable friend; but as he will have heard from my answer, the attention of the Public Service Commission has been called to this matter, and as my Department is concerned, I propose to go into the matter further with them when more time is available.

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#### RESOLUTION RE ADDITIONAL PAYMENT FOR RAILS TO THE TATA IRON AND STEEL COMPANY.

**The Honourable Sir George Rainy** (Member for Commerce and Railways): Sir, I move:

"That this Assembly recommends to the Governor General in Council that he should make to the Tata Iron and Steel Company, Limited, an additional payment for such quantity of rails as may be ordered from the Company for the year 1931-32 under the terms of the existing contract made by the Secretary of State for India in Council with the Company, such additional payment to be at the rate of Rs. £0 for each ton of rails over and above the price specified in the contract, namely, Rs. 110 per ton. This Assembly further recommends that for such quantity of rails of 115 lb. per yard section as may be ordered from the Tata Iron and Steel Company, Limited, for the year 1931-32 the Governor General in Council should make an additional payment at the rate of Rs. 10 for each ton of rails over and above the price fixed for these rails in 1929, namely, Rs. 120 per ton."

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To any steel manufacturer in India, Mr. President, the Government orders for rails must be a matter of first class importance. The quantities involved in a normal year are very large and the order for rails must of itself form a very substantial portion of the output of the manufacturer who gets the order. In addition, since very large quantities of each type of rail are ordered and they can be rolled continuously in the mills without changing the rolls, it is a product where the benefits of mass production are immediately felt and consequently you get cheap production. It is obvious, therefore, that in any scheme of protection for the steel industry in India, the rails for the railways must play a very important part. Equally, on the other hand, in view of the importance of cheap transportation in the interests of the country, it is desirable that the rails should be obtained at as low a price as possible. That indeed is obvious and does not require to be amplified. Now, in 1926, when the statutory inquiry about the renewal of protection was held, the conclusion arrived at by the Tariff Board and accepted by this House was, I think every one would agree, one of the most satisfactory portions of the scheme then adopted. The Tariff Board pointed out that the 10 per cent. revenue duty on rails, which was in force before, was Rs. 14 a ton, and that a slightly smaller duty of Rs. 13 a ton would suffice in the scheme of protection. But that recommendation was subject to one particular condition and I think perhaps it is best that I should read out what the Tariff Board actually said in their Report. I am reading from page 60—para. 109 of the Report:

"It is obviously a matter of grave importance that nothing should occur which might render the protection of rails ineffective. The duty on rails at Rs. 13 per ton which we have proposed, is very low, and the cost of production on which it is based presupposes that the industry obtains orders sufficient in each year to enable it to work up to its maximum rail output. We estimate that the average annual rail output of the Tata Iron and Steel Company will not exceed 200,000 tons during the next seven years and if a duty of Rs. 13 per ton only is imposed on rails, it is essential that the Railway Administrations should arrange to purchase the whole of their requirements of rails in India so far as they can be produced in the country. The f.o.r. fair selling price of rails at Jamshedpur is so low, namely, Rs. 110 a ton, that the Indian railways as a whole would undertake no great sacrifice if any purchased the Company's output of rails on the average at this price. A reduction in the orders of rails by some 40,000 or 50,000 tons would raise the cost of production by several rupees, and if the Government are unable to arrange with the Railway Administrations that orders are placed for the whole of the Company's production of rails, a substantial increase in the duty should be made."

Now, Sir, as the result of the Tariff Board's recommendation, a contract for a period of seven years was made between the Secretary of State and the Company for the supply of the Government requirements of rails at the fixed price of Rs. 110 per ton, and in this contract the demands of the Company-managed Railways were included. Now although the Tariff Board laid great stress on the point that the quantity to be ordered was a necessary part of their scheme, in the contract as it was finally framed no stipulation on that point was included. I believe the point was raised at a very early stage of the negotiations, but apparently it passed out of sight and was not pressed by the Tata Iron and Steel Company at the later stages, and the result is that under the contract it is open to the railways to vary the quantity ordered without limit, and still, so far as the contract is concerned, there is no change in the price. Before

I go on, I should like to quote, because I think it may be of some importance to the House to be reminded of what passed in this House when the Report of the Select Committee on the Steel Industry (Protection) Bill was before the House in 1927. In a Minute appended to the Report of the Select Committee on the Bill, Mr. Jinnah wrote as follows:

"I refrain from moving an amendment to raise the duty on heavy rails, because Sir Charles assured me that negotiations for a contract on the lines recommended by the Tariff Board were now proceeding between the Railway and Tata Iron and Steel Company, and if the negotiations broke down the question of enhancing the duty will have to be considered in the light of the recommendations of the Tariff Board."

Then in the debate Sir Charles Innes said:

"I wish to say quite publicly that the statements made in Mr. Jinnah's note appended to the Select Committee's Report are correct. They are a correct account of what I told Mr. Jinnah in the Select Committee."

That is to say, the position was clearly understood then that if it was not possible to arrange a contract by which the whole orders of the railways were placed with the Tata Iron and Steel Company, it was recognised at the time that a higher duty than Rs. 13 per ton would be necessary. In fact, however, as I have already said, the contract was made, and the only point in which it might be said to be defective was that no stipulation of any sort was made that the price might conceivably vary according to the quantity ordered. I think this is the only case we have had so far in which an essential part of the scheme of protection has been a contract between Government and the representatives of the industry to be protected, and from the situation that has actually arisen in this case, the inference to be drawn, I think, is that unless all the possibilities are envisaged as far as that may be done, there is a real danger that the scheme of protection may become incomplete and may not contain the necessary provisions to meet all contingencies. It is always, I think, doubtful whether it is wise to mix up the question of protection with what under normal circumstances ought to be purely a matter of business. But however that may be, since the Steel Industry Protection Bill became law, the actual orders for rails placed with the Tata Iron and Steel Company have never amounted to as much as 200,000 tons. For the year 1927-28 the quantity ordered was 183,000 tons; for 1928-29, it was 131,000 tons; for 1929-30 it was 121,000 tons, and for 1930-31 it dropped to 90,000 tons, and next year it is only 80,000 tons. That was an inevitable result of the restrictions that for financial reasons it became necessary to place upon the capital programme of the railways. It is not that there is any disinclination on the part of the railways, if they were in a position to undertake the full programme of development that they would like to undertake, to order rails, but for reasons with which the House by this time, I think, is very well acquainted, it has been necessary to restrict the programme, and consequently the railways are not in a position to order the full quantity of rails they would like to order because they are not in a position to pay for them.

That was the position when the Tata Iron and Steel Company last August came to Government with an application that Government would either place orders for an additional quantity of rails, or if that was impossible, would at any rate consider whether an additional payment ought not to be made. That application was very carefully considered, and the

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result was that Government were convinced that the claim was unanswerable and that in some way or other it was necessary for Government to come to the rescue of the Tata Iron and Steel Company, for otherwise the industry would not be receiving the protection which the Legislature intended to give it. Fresh measures had become necessary, owing to reasons entirely beyond the control of the Company, and the questions whether the Company's costs were too high, or whether there was inefficiency simply did not arise. The fact that the rail orders were restricted inevitably raised the Company's costs in two different ways. In the first place, with a smaller output, the rolling mills could not be kept fully employed, with the result that the works' cost was raised, and in addition there was a smaller output over which the overhead charges and return on capital had to be spread, and therefore in that way also their costs were raised. Nor was it possible for the Company to get over the difficulty by turning to other products, not only because its programme of development was still incomplete and it was not equipped to produce larger quantities of other kinds of steel, but also because, owing to the state of the markets, it was becoming very difficult to sell the quantities which they could early have sold three or four years before. It will be noticed that although in two successive years the quantity of rails ordered had been less than 200,000 tons, in one year by 70,000 and in the next by 80,000 tons it was not until the fourth year that the Company approached Government. The question then came before the Government what action could be taken, and the first thing that was plain and obvious was that we could not proceed by way of an additional duty for such a duty could have had no effect. The contract had been concluded and Government railways were purchasing the whole of their supplies from the Company in any case, and therefore an additional duty imposed upon any rails that might come in into India imported by third parties would be entirely nugatory. The great bulk of the rails would not be subject to the duty at all as they were being manufactured in India. Therefore, it became obvious that, if any measure was to be taken, it would have to take the form of an additional payment, and after examining the matter as closely as they were in a position to do, the Government came to the conclusion that during the year 1931 they should agree to make an extra payment of Rs. 20 a ton to the Company, and that as regards future years, two things were necessary, one, an enquiry by the Tariff Board, and the second, that the matter should be brought before the Legislature. The Tariff Board held its enquiry towards the end of December and its Report is in the hands of Honourable Members. Since the Report is quite a short one, I do not think that I need repeat what is to be found there. Briefly, what they found was that owing to the reduction in the orders, if the Company only got orders for 90,000 tons of rails, Rs. 8 a ton would be a fair estimate of the difference in the works cost, and that Rs. 12 a ton was a reasonable estimate of the additional cost in the way of overhead imposed upon the Company owing to the fact that the output was smaller than it would otherwise be. Therefore, the Board said that the figure of Rs. 20 a ton which the Government had already arrived at was a reasonable figure, and they recommended that that payment should be made for the remaining years of the contract. Government, however, decided that it was not advisable to commit themselves quite so far ahead as the Tariff Board proposed. There are two or three reasons why they took that view. One

of them is that from this month onwards I understand it will be possible for the Company to increase its output of structural sections to a greater extent than it could do before the additions to its mill had been completed. Another reason is that, although the prospects of being able to place larger orders for rails are not good just now, it is not impossible that circumstances may so change that before the end of the period, that is, before March, 1934, it may be possible for Government to place larger orders for rails. For that reason it was thought better that what should be placed before the Assembly at this stage should be for the year 1931-32 only. But there was another reason why Government took this view, because there was another question which had to be considered but which could not properly be referred to the Tariff Board, namely, this, whether, if an additional payment was to be made, it should be made from railway revenues or from general revenues. Now, this matter also was very carefully considered by the Government, and what they found was this. It seemed to them that there were two elements in the problem, one the element of protection, and the second element which had also to be considered was a purely business question. It is this latter question which I should like to bring rather prominently to the notice of the House.

In 1926, when the Tariff Board were conducting their enquiry, the European rail makers' cartel was in process of formation, and I think it had actually been formed before the Board reported. That cartel meant that the rail manufacturers in foreign countries came to an agreement by which they divided the rail markets of the world between them so as to diminish the intensity of competition in the various countries. Now, that was an important fact, and one which weighed a good deal with Government at the time in deciding to make the contract with the Tata Iron and Steel Company, because, when an international agreement or cartel of that kind is made, it is always made with one object, namely, to get better prices for the manufacturer, and if the price was to be determined for the future by the price at which the cartel were ready to sell, there was an obvious chance, at any rate, that we might have to pay an unreasonably high price. Therefore, on purely business principles, quite apart from any question of protection, it was a matter of distinct interest and importance to the railways of India that the manufacture of rails should be carried on in this country because that gave Government an alternative source of supply in the event of prices being raised by the cartel. It is very difficult to be certain at what price, supposing there had been no steel rails made in India—it is quite uncertain what price we should have been charged by the rail manufacturers of Europe. The reason why we cannot be certain is that you can never get an absolutely firm price unless you call for tenders and are prepared to accept the lowest tender. If you call for tenders not meaning to purchase, then the prices quoted are not real prices. But all our information points to the conclusion that, when the railways made their bargain to purchase their rails from the Tata Company at Rs. 110 a ton, they made a good bargain and that, during the last four years if they had had to purchase abroad, they would have had to pay more. That I have no doubt about myself, although it is not possible to put an exact figure upon it. Now, in these circumstances the view that Government take is this, that, if the Company had raised the point in the negotiations for the contract in 1927, it would have been a perfectly good business for the railways to agree to some

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stipulation by which, if the quantities of rails ordered fell short, there should be some additional payment to the Company purely as a matter of business, and that extra payment would have been of the nature of an insurance against what might happen if no alternative sources of supply were left open and we were in the hands of the European rail makers' cartel. It is very difficult to say now what exactly might have been a reasonable arrangement on that basis at that time. But that some arrangement of this sort would have been reasonable I do not doubt. On the other hand I am quite certain of this, that if an arrangement of that kind had been made, it could not have been shown to be a good business proposition to pay a price as high as Rs. 130 a ton. That, I think, nobody would claim, because the evidence that we have goes to show that in no circumstances, as far as we can judge, would it have been necessary, if we purchased abroad to pay a price as high as that. Now, the way Government look at it is this. During the first three years of the contract, the total quantity of rails ordered was 435 thousand tons and the whole of that quantity was obtained at a price of Rs. 110 a ton. In the next two years, that is 1930-31 and 1931-32, the quantity ordered is about 170 thousand tons and, with the additional payment already sanctioned for the first of these years and the additional payment now proposed in this Resolution for the second of these years, that quantity—170 thousand tons—will have been obtained at Rs. 130 a ton. Taking the whole 5 years together, the total payment for 605 thousand tons—that is about 121 thousand tons a year—will be between 115 and 116 rupees a ton on the average. Government felt that, having regard to all the circumstances, that was not an unreasonable price and was within the limits of what would economically have been justifiable if in 1927 we could have foreseen the falling off in the rail orders. The price of Rs. 110 a ton, on the basis of an annual order of 200 thousand tons, was a fair price and a favourable price having regard to the probable price that would have to be paid had we purchased from abroad. For a quantity only three-fifths of that—120 thousand tons a year on the average—a price of between Rs. 115 and 116 a ton is not an excessive price, whether we have regard to the position of the Company or whether we have regard to what the railways might have been able to do if they purchased abroad. Now, that is the reason, Sir, why the payment in 1930-31 was made from railway revenues and why we propose in the coming year that the payment should again be made from the railway revenues. But as regards the two next years after that, the position becomes a great deal more doubtful because it is difficult to feel sure, simply looking at the matter as a question of business, whether we could justify further payment from the railway revenues, and then if the decision was that it was not justifiable, the payment would have to be treated as a bounty and paid from general revenues. Government felt that they must examine that aspect of the case more fully and that was the final reason why in the Resolution I am moving today we are only dealing with the year 1931-32.

That Sir, covers, I think, most of the important points that I wish to bring to the notice of the House. There is one small point of detail which I had better mention, and that is the 115 pounds rails which were not included in the original contract, because at that time rails of that weight were not wanted. A supplementary contract made in 1929 fixed the

price at Rs. 120 a ton, on the representation of the Tata Iron and Steel Company that they were rather more expensive to make. We felt that as regards the additional payment, these 115 pound rails hardly stood in the same position as the other rails, and that instead of an additional payment of Rs. 20 a ton, we could not justify to this House the payment of a larger amount than Rs. 10 a ton, making Rs. 130 in all, or the same price which it is proposed to pay for the other rails.

In conclusion, I should like to emphasize that the whole necessity for placing this proposal before the House arises entirely from the inability of the railways to place orders for rails on anything approaching the scale contemplated by the Tariff Board when they made their recommendations in 1926. It does not arise in any way from anything that Tatas have done or have failed to do. It is purely this—that if the industry is to receive the protection which in 1927 the Legislature decided that it ought to receive, then it is necessary to make this additional payment. I have no doubt whatever in my own mind that the proposal is thoroughly justified on the principles on which we have regulated the scheme of protection.

**Mr. B. Das** (Orissa Division: Non-Muhammadan): I rise to support the Resolution moved by the Honourable the Leader of the House. My reasons for supporting are quite different from those which have been advanced by the Honourable the Leader of the House. He said that in moving the Resolution to grant this bounty to the Tatas for one year he was guided by the impulse of business principles which his railway conscience gives him and he wanted for business reasons to give that protection for one year. We discussed a few days ago, on the 11th February, the protection of galvanised iron sheets. Then, Member after Member from this side of the House insisted that Government should enforce close scrutiny of Tatas every year, so that there should be reduction in the cost of production and Indianisation. I thought the Honourable the Commerce Member would have advanced the same reasons and would have said that he agreed with the observations from this side of the House and wanted to give protection for one year subject to examination every year on those two vital issues. But this time he only discussed the business dealings with the Railway Board and did not go into the serious charges that this side of the House hurled against the Tata Iron and Steel Company for their inefficient management and bad organization. Sir, I have gone through the pages of the Report of the Tariff Board on Steel minutely. I think, Sir, the Tariff Board was working under difficulties. On page 3 they say:

“Any investigation on these lines regarding the method of determination of bounties is bound to be largely hypothetical and must necessarily exclude various factors which would be considered relevant on ordinary protective grounds.”

I find the Tariff Board has given us no figures as to any attempts made by the Tata Iron and Steel Company, to whom protection was given under the Tariff Board Report of 1926, in the direction of the reduction of their cost of production and Indianisation. Sir, it is a well-known commercial practice that when the output of any industrial concern decreases, there is a decrease in staff, both superior and subordinate; but I have found no mention in the Tariff Board's Report touching this point, and would be glad to hear from the Honourable the Leader of the House whether the



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Tatas have made every effort to reduce their staff because they are not producing the full quantity of steel. Sir, I am surprised that the Tatas, who wanted protection, should, after getting the protection, be so fond of spoon-feeding processes on the part of the Government that they now want to be pampered with more protection. They do not want to make any effort to reduce their cost of production, or to find a market outside India for their products. Sir, the Tatas have found no market outside India. Nor even have they made their best efforts in India to sell their products in every part of India, and yet they want that the Government should pamper them. It is just like an Indian Rajah or a nobleman picking up a village girl and adopting her as a daughter, and thereupon that adopted daughter wants to get the kingdom from the Rajah and to be the queen. So the Tatas have got from Government protection, and now they want protection not only for their existence but demand it so that provision can be made for a depreciation fund and they even ask for it to provide for their future development. It is simply absurd that Government should go on pampering them with bounties and protection while they are doing nothing to reduce their cost of production.

Sir, I find in the table given in this Tariff Board's Report on steel rails that while the British prices and the Continental prices of steel materials fell during 1927-28 by £1 or £2, the Tatas have not been able to reduce their cost of production at all. I will just quote one or two examples. In 1927-28, the British price for beams was £8, and the Continental price was £5.17 shillings. The prices in December, 1930, were British £8.6s., Continental, £5. For bars, the prices were £8.16.2 British, Continental £6, in 1927-28. In December, 1930, the British price was £7.10s., the Continental price £5.4s., and so on. I do not want to weary the House with statistics; they will find the tables at page 23. I ask, why is it that the Tatas cannot produce their steel sections at a cheaper price? It is because they have not taken any advantage of the low level of prices, and because they have not lowered the salary of their staff, and as I mentioned the other day, because they have made no effort to reduce their highly-paid American staff, who are bossing the whole show of Tatas and are not allowing the few Indians working there as engineers and Works Superintendents properly and economically to organise the Tata Iron and Steel Company. Sir, this Report says that if Tatas do not receive another 100,000 tons of rail order from the Railway Department, they will find no market to sell 100,000 tons of pig iron anywhere in the world, and they observe:

"It appears to us extremely doubtful whether an additional 100,000 tons of pig iron could be sold, and still more doubtful whether the profit of Rs. 15 per ton estimated by us (in para. 70 of the 1926 Report) will be realized",

and it says—

"The American market is difficult, while the Japanese demand has shrunk to about one-quarter of its former figure."

Sir, this is a serious charge against the Tatas,—that they have tried to sell their pig iron at a very low price to American and Japanese firms but they have never sought to sell it to Indian industries at that price; and today, if America and Japan do not buy, the Tatas have themselves to

thank for it. Sir, my Honourable friend, the Leader of the House, is responsible for not publishing the Tariff Board's Report of their inquiry into the pig iron industry. It seems the various engineering industries have applied for protection, but in pig iron the Tatas, who have combined with two or three other iron firms—the Bengal Iron Company, the Indian Iron and Steel Company and the Mysore Iron works, who produce pig iron to the extent of 11 lakhs tons, to sell pig iron at Rs. 40 or slightly less to Japan and America, but they sell to Indian manufacturers at Rs. 68 or even Rs. 70,—and we are told in this House that the steel industry and the pig iron industries are key industries and must be protected. If the Tata Steel Works require protection from the country to stabilise those key industries in India, its first obligatory duty would be to supply pig iron to Indian manufacturers of engineering materials at the lowest possible price. It never did that, and I cannot understand how my Honourable friend, the Member for Commerce, is satisfied. I find in a memorandum which was submitted to the Tariff Board by certain engineering firms that the total cost of production of pig iron is Rs. 30, and for export they are charging Rs. 45. I do not understand why they do not reduce that. Shall I take it then that the Tatas have entered into an unholy combination with the Railway Department and the Government of India that they shall not sell pig iron at a low price to Indian engineering industries in case they manufacture and secure all the railway store orders from my Honourable friend, Mr. Parsons? I do not know whether there is or is not an unholy combination, some secret understandings and agreements.

**Mr. Amar Nath Dutt:** (Burdwan Division: Non-Muhammadan Rural): What do you mean?

**Mr. B. Das:** There may be some secret understanding between these four firms, who produce pig iron, so as not to allow Indian firms to manufacture cast-iron sleepers and steel sleepers, but to get them from England and they are ready today to export them at the lowest possible price to Japan and America. If these industries fail, if the Tata Steel Company at Jamshedpur fail; I have no sympathy with them. Of course, as an Oriya, I have a certain amount of sympathy with one of my countrymen, the Maharaja of Mayurbhanj; who gets the largest amount of royalty by supplying the iron ore to Jamshedpur. I do not mind if that profit does not go to an Oriya, but when a firm works so inimically to the national interests of India, I strongly condemn it both on the floor of this House and outside it wherever I can.

**Mr. K. Ahmed** (Rajshahi Division: Muhammadan Rural): What is the secret alliance between the Government high officials and the Directors of the Company? Please reveal it if you know anything about it.

**Mr. B. Das:** My friend, Mr. K. Ahmed, asks me to reveal something of which I have no knowledge. But if my friend has any knowledge because of his connection with Mr. Homi and the labour organisation at Jamshedpur, the House will be glad to know the alliance that exists between the Directors of Tatas and the Government.

**Mr. K. Ahmed:** I do not know anything.

**Mr. B. Das:** Sir, I want to ask one pertinent question to my Honourable friend, the Leader of the House. My friend quoted a paragraph from the 1926 Report. I do not want to quote a paragraph, but I want to refer him to paragraph 138, page 76, where the Tariff Board in 1926 discussed the appointment of Indians to the higher technical posts at Jamshedpur. There they say:

"The total number in September 1924, when the covenanted staff was at its maximum, was 229, which by June 1926 had fallen to 161, a reduction of approximately 30 per cent."

Further on it says:

"There has thus been a reduction of 17 in the covenanted staff in the older portions of the plant and of 2 in the newer portions. Of the 19 places which thus became vacant, 15 were filled by Indians and 4 were nett reductions."

I asked certain questions on the floor of this House about Indianisation but somehow they were disallowed because we cannot ask questions from Government if they refer to a particular firm not under direct management of the Government. Sir, one of the recommendations of the 1926 Report was Indianisation. Have the Government taken any steps to ask the Tatas as to how they have been reducing their staff from 1926 and putting in Indians in the higher appointments? Did the Government take any steps with regard to the serious charge that I made against the Tatas on the 11th February this year, that the three schools of experts, the Germans, the Americans and the English, were fighting with one another and consequently the efficiency of the Tata Steel Works is going down?

**Mr. President:** The Honourable Member's time is up.

**Mr. B. Das:** I maintain, Sir, that the Tatas have taken no advantage by reducing their staff and also reducing their cost of production, although I agree to the bounty that the Government are giving. I am glad, however, that this bounty is coming from the Railway Budget and not from the General Budget. Unless Government impress on the Tatas to see that the staff is Indianised and the cost of production is reduced, they can tell them, on behalf of the Opposition, that the Opposition has no interest in the protection of the Tata Steel Works, and they can please themselves by selling their concerns to the Americans, as they have done in Bombay.

**Maulvi Muhammad Yakub** (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, I rise to oppose the Resolution moved by the Honourable the Leader of the House. I do not think that the learned Commerce Member has been able to make out any case on account of which this House may be justified in giving anything to the Tata Steel Company which is more than the price at which a contract was made some years ago. The Honourable the Commerce Member has said that because we cannot purchase more iron rails from the Tatas than we ought to have done, on account of our financial difficulties, we ought to give to the Tatas Rs. 20 per ton and afterwards Rs. 10 per ton more than the price at which we made a contract with them. Now, Sir, this is no argument at all. If a purchaser cannot purchase a large amount from a manufacturer, it does not give any claim to the manufacturer to say that he ought to get a higher price than the one at which a contract was made. The

Honourable the Commerce Member says that if we do not help the Tatas, and if their manufacturing factory is closed and we purchase our rails from outside countries, then probably we will have to pay more than what we will have to pay to the Tatas. But I do not think even this argument can be appreciated. With a fall in prices throughout the whole world. I do not think that the railways in India, if they purchase their rails from foreign countries, will have to pay more than what they pay to the Tatas either as price or bounty or protection or whatever name you may like to call it by.

Sir, we have every sympathy with the industries in our country, but, of course, there must be a limit to our sympathy. We find that we have got a deficit Budget before us, where there is a deficit of 17 crores and more. We find that we are enhancing the income-tax; that we are appointing a Retrenchment Committee; that many of my countrymen who are getting small salaries are being served with notices that their services are no more required because of the financial stringency. Now, Sir, under these conditions, can anybody say that it is a proper time to give a bounty or to be charitable to any manufacturing concern in this country? There must be a limit to give protection or bounty to the Tatas and to other millowners in the country. Under the present circumstances, Sir, I think it will be highly improper if anything more than the actual price is given to the Tatas. What the Tatas have not done, and what they ought to have done has been fully explained by my Honourable friend, Mr. B. Das, and I need not go into those points again. But I do submit that no case has been made out by the Honourable the Commerce Member which would justify the House to vote in favour of this Resolution and therefore I oppose it.

**Mr. Amar Nath Dutt:** Sir, besides what has been said by the previous two speakers, I have one other objection to this Resolution. It is this. The Tatas business is not conducted with an eye to economy and the management is extravagant and topheavy. As an example of this I may point out that there is a dairy farm and a man (certainly not an Indian) who would have drawn less than one hundred rupees elsewhere in a subordinate capacity, was brought in as a Manager on a salary of Rs. 1,250 per mensem. What was his duty? A simple *gumastah* or a *naeb* could easily

12 Noon: have done the work of looking after the cattle and their feeding on a salary of Rs. 50. In the Tatas business the Europeans are very highly paid. Every one knows that men who used to draw something like Rs. 2,250 or Rs. 2,500 per month have been drawing somewhere near Rs. 4,000 to Rs. 6,000, a month. Sir, this is the way in which money is being spent over high paid European officers, but not on Indian officers.

**Mr. K. Ahmed:** There are one or two Indian officers as well.

**Mr. Amar Nath Dutt:** No materials have been placed before us to show that the Tatas are really economising at this time. As my Honourable friend, Maulvi Muhammad Yakub, said, even for a reduction of a few lakhs of rupees in income-tax, there was a difference of opinion between the Government and this Assembly, and I think the present amount involved in the Resolution is not such a little amount as to be ignored by us. It also touches the revenues of the country and it does not benefit us to any extent. Furthermore, I want to say that there is such a thing as sanctify of contracts. If the Tatas take a contract and if the prices have gone down, the cost of living has also gone down, then can the Honourable the

[Mr. Amar Nath Dutt.]

Commerce Member tell us why the Tatas can not accept the price at their contract rate? It is only because they have high paid officers for whom the Tatas are unable to find as much work as is necessary to justify the high pay they are getting, I need not discuss infant industries and how they are to be protected. More than seven years have rolled by and we have been helping this so-called infant industry. It is still in its infant stage and I do not know whether it will ever be able to stand without protection. With these observations, I beg to oppose the Resolution.

**Mr. K. P. Thampan** (West Coast and Nilgiris: Non-Muhammadan Rural): There are two issues involved in this question. The first is what fair price we can pay for rails, and the second is our obligation contractual, legal or moral, whatever it is, to pay a higher rate to the Tatas than the one for which we have contracted. As regards the first, I find that on an estimated order approximating to 200,000 tons of rail every year, the price was fixed at Rs. 110 per ton. Now orders have been reduced to 90,000 tons or so. As a matter of fact, it was only 88,000 tons the Railway Board purchased last year. The request of the Tatas is that on account of the reduction of the quantity indented for, they have suffered a great loss and that they must be paid a higher rate.

Sir, I am sorry to say that full particulars to help us to come to a conclusion have not been placed before us. In the first place, I do not know whether the Railway Board are purchasing besides these any rails from foreign countries; whether the 90,000 tons of rail proposed to be purchased from the Tatas are for the exclusive use of the State railways or for the entire use of both the Company-managed and State railways.

**An Honourable Member:** They are for both.

**Mr. K. P. Thampan:** I do not know also the ruling price of rails manufactured in other countries. There is a table given in the Report of the Tariff Board at page 23 wherein the price of beams alone is given. If rails are included in the category of beams, then I am afraid there is a great deal of difference in the prices. For Continental beams the price in last December was only £5. It comes at the present exchange to about Rs. 67-8-0. For British make the price is £8-6-0 or Rs. 112½. I do not know whether there is much difference between the British standard and the Continental of rails. The British manufacturers might say British things are much superior, but I really do not believe that. It is therefore proposed to pay to Tatas double of the Continental and Rs. 18 more than the British prices. Then, I want to know whether next year we would be in a position to purchase more or limit the requirements to 90,000 tons. If as in the year 1927-28, we are in a position to place more orders, then the Tatas might altogether withdraw their claim for a higher rate, on these points I would like to be enlightened.

With regard to 115 lb. rails, I am not in a position again to know whether that is also included in the 90,000 tons order.

**The Honourable Sir George Rainy:** Yes, Sir. That includes all the different kinds of rails.

**Mr. K. P. Thampan:** May I know the respective quantities? That is necessary to know the full implication of this proposal. The Tariff Board have recommended an additional increase of Rs. 7 to this class of rails while the Resolution purports to give only the same price as that of the 90 lb. variety. The Tariff Board was specifically asked to report on this and they recommended payment of Rs. 137, whereas the Resolution before the House proposes to give only Rs. 130. If really there ought to be a difference in the prices, why should we grudge to give it? We ought to be fair in our decisions.

With regard to the second issue involved in this, *viz.*, our obligation, I am told that during the last few years, the taxpayer of this country has paid as much as 10 crores of rupees by way of subsidies and protection to the Tatas. If it were so, I think, the Government could as well have started a concern themselves or purchased this. It is all very good to say that an infant and a struggling indigenous industry has to be protected. I do not take exception to that principle, but there ought to be a limit for everything. There are other iron works in India, concerns managed by Messrs. Burn & Co. and Martin and Co., the Indian Iron Co., Bengal Steel Co., and in the State of Mysore, there is the Bhadravati Iron Works. These do not stand in need of protection because they are managed on a business and commercial basis, nor was any subsidy given to them. The Tatas have been in existence for nearly 25 years and there is no meaning in asking us to continue to give them preferential treatment. You will excuse me, Sir, if I make an observation on this subject from my personal knowledge. I had occasion to go to Tatanagar last August and the one thing that struck me as most extraordinary was the large number of highly paid employees who were sitting there without any work. That accounts for the heavy overhead charges of production.

**Mr. K. Ahmed:** The Honourable the President is a Director of the Company.

**Maulvi Muhammad Yakub:** The Chair has nothing to do with any company.

**Mr. K. P. Thampan:** The President of the Assembly cannot be a Director. From what I could see, there were more men employed in that works than were necessary for a business concern of that kind.

**Mr. C. C. Biswas** (Calcutta: Non-Muhammadan Urban): It is like the Government of India.

**Mr. K. P. Thampan:** Quite. Not only that, all the departmental heads are foreigners. There are Englishmen, Americans, Germans and a lot of other people. Have the Tatas ever cared to Indianise these posts? There cannot be any excuse for that. There was sufficient time for them to do that. They started their business some 25 years ago. I, for one, do not believe that Indians are not capable of looking after or managing a business concern after an experience of 25 years. If it were so, are we fit for governing this country? We are not fit to get Swaraj and the Swaraj which we have been agitating for will not remain in our hands.

**Mr. K. Ahmed:** There are one or two Indians on the Company.

**Mr. K. P. Thampan:** That is nothing. Another injustice done to Indians was this. People who were acting in responsible posts were not made permanent when suitable opportunities arose. On enquiry, I knew that certain Indians, who were actually in charge of some of the departments as heads thereof, were not made permanent merely on account of their colour. That is a state of things which ought not to be tolerated in a concern seeking national protection and bounties. The whole thing looked so disappointing and suspicious. Unless and until this state of affairs is changed, I submit, we will not be justified in calling it a national concern or giving any kind of subsidy from the national exchequer to the Tata Iron and Steel Company. That is my honest conviction.

Then, Sir, I may as well tell you another thing. We have recently helped the Company also in regard to galvanised iron sheets, etc., for which we passed a measure in the course of the present session. If this Resolution is passed and given effect to, we will be paying another 18 or 20 lakhs of rupees into their pockets. But with all these you may be sure that the shareholders will not get one pie out of it as dividend this year. The whole thing will be eaten up by the heavy salaries of the superior staff. Is it, I ask, to maintain these foreigners on high salaries that we are paying this money? That is a point upon which I want some enlightenment. Let them get rid of these foreigners. Let them manage as cheaply as possible. Unless I am assured that Government will look into this matter forthwith, I for one will not vote for this motion.

**Mr. Muhammad Yamin Khan** (Agra Division: Muhammadan Rural): Sir, I whole-heartedly support Maulvi Muhammad Yakub in this matter. I think this is not the time for giving any subsidies when we have to see to the financial condition of India. It will be giving benefit to one set of people at the expense of another. If the benefit is to go to Tata's, it has to come out from somebody's pocket and it will be placed in their pockets. We have now got a tax on kerosene, on betel-nuts and on other daily necessities of life, and an increased income-tax; and after all these taxes a portion of this amount is to go to Tata's. I know that Tata's may not be making as much money as they have naturally been making in the past or as they expected. But that is the condition of everybody now. I am ready to sell my land at 70 per cent. or even 60 per cent. of the price which it would have fetched in 1925 or 1926. That is how we have been suffering. It is not the case of the zamindars only, but that is the case with every tenant. What is the tenant getting? He used to sell his produce at 7 or 8 seers a rupee, but now he is selling at 16 seers a rupee. Shall I not be justified in asking Government to put down a certain kind of subsidy for all the wheat growers in this country and to give them a kind of bounty to meet their losses? Will Government be prepared to do that? If the Government are not prepared to meet all other industries in India I do not see any reason why one industry should be benefited at the expense of other people. We gave a good benefit to the Bombay mill-owners last year at the expense of the poor peasantry who have to pay a higher price for their ordinary linen. That was done simply in order to put a certain amount of money into the pockets of the Bombay mill-owners who were losing their concerns and as we were told that they were on the verge of closing their business because they were not making as much interest on their capital as they expected. They may not have been making 12 or 20 or 30 per cent

as they expected. I have invested my everything on my land at 3 per cent. But I never get 3 per cent.; I only get about 2 per cent. on my capital and I am ready to part with it at 60 per cent. of my capital. So I do not see any necessity to take money from people in order to help this company who are not making 30 or 35 per cent. on their capital.

Then, Sir, there are certain of my friends who spoke about the sanctity of contracts yesterday. But there is such a thing as sanctity of contracts in this matter too; and that is the sanctity of contract of the poor people of India as represented by the Government of India on the one hand and the big capitalists represented by Tata's on the other. This contract must be respected by them and the same sanctity must be observed today which was loudly and ably advocated yesterday. With these few words I oppose this motion.

**Rai Sahib Harbilas Sarda** (Ajmer-Merwara: General): Sir, I give my whole-hearted support to the Resolution moved by the Honourable the Leader of the House. We must remember that the Tata Iron and Steel Company is the largest and the most important single national industrial concern in this country. Its priceless services during the war to the Government have not been forgotten and we know that even now it is rendering most useful service to the country during peace time. The Government of India with the strain on its finances would not be likely to agree to an increase in the contractual rate if it thought inequitable to do so. It is after full consideration that Government have agreed to increase this rate. It is due to causes beyond the control of the Government or the Tata Iron and Steel Company that the Company is not able to produce steel as cheaply as would make it possible for it to continue its work without any protection or assistance from Government. The activities of the iron and steel manufacturers in Europe and the immense resources which these concerns in Europe command have made it very difficult for the Tatas to keep pace with these firms in the work and to keep the concern in good working order.

As regards the sanctity of contract, I fail to understand where that question comes in. A contract is sacred to the two parties that entered into it. Others have nothing to do with it if both parties to a contract find that owing to altered circumstances it has become necessary to vary the terms of the contract to some extent. I do not see that the question of the sanctity of contract comes in at all. A complaint is often made with regard to the Tatas that its administration is top-heavy and that it pays those who are at the helm of the Company at extravagant rates. We must remember, Sir, that it is not easy to find men with adequate intellectual equipment and expert knowledge to conduct such big concerns efficiently unless they are paid highly. There are not many people who are fit to do that sort of work and if the Company finds that without paying these men at a high rate, it cannot continue to do its work efficiently, it is but a natural thing that they have got to be employed. I certainly say that if there is extravagance and it is found that the work can be done more economically than is being done now, there is certainly a case for inquiry, and Government would receive our support if they instituted an inquiry to satisfy the public that there is no extravagance and that nothing is paid to these foreign experts who are employed in this company in excess of what is due to them. I do not know about it. This is a matter which concerns only the management and it is not for





[Rai Sahib Harbilas Sarda.]

us outsiders, who know very little about expert management, to condemn or criticise without full facts before us. All I have got to say is that the Government, vigilant as they are, have found it necessary in the circumstances to give the Tatas a little more than the contractual rate. As they have done so after full consideration, there is no reason why we should oppose it. I therefore support the motion.

**Sir Cowasji Jehangir** (Bombay City: Non-Muhammadan Urban): Sir, although I am not a director of the Tata Steel Works, I would like first of all to state that I am personally interested. With this remark, I would like to give a few facts to the Honourable House in reply to the remarks made by my friend, Mr. Das. He complained that the process of Indianisation had not progressed with the rapidity with which he would desire to see it; and he also remarked that the cost of production had not come down. I am in a position to give just a few figures, and I will do so with your kind permission. As to the cost of production, in 1927, the estimate of the Tariff Board was Rs. 88 per ton. The actual costs for that year were Rs. 82.68 per ton. In 1930, the Tariff Board estimated that the cost ought to be Rs. 88 per ton. The actual costs were Rs. 85.29 per ton. I am not going into the figures or trying to explain them. Here are the figures for you to judge for yourselves.

As regards Indianisation, in 1927, there were 42 Indian officers. In 1930, there were 57 Indian officers. The salaries of Indian officers have gone up from Rs. 32,800 to Rs. 46,000. As regards non-Indians, in 1927, there were 150; in 1930, the number was 112; and their salaries came down from Rs. 257,000 in 1927 to Rs. 213,000 in 1930. Indianisation has increased and European officers have decreased.

These are the facts I have received as one interested in the Company, and I am prepared to place them at the disposal of this Honourable House.

As Mr. Das has said that he is going to support the Resolution, I will not continue any further with his remarks. My friend, Maulvi Muhammad Yakub, wanted really to know why, if Government had entered into a contract at Rs. 110 a ton, they should now change that contract and pay even for one year at Rs. 130 per ton. I thought the Leader of the House had explained the whole history of this question so lucidly that this question would not have been asked. I do not want to go over all the ground that the Leader of the House has covered, but we must not forget that this contract was made under a recommendation of the Tariff Board dated 1927 and in fact the whole of that paragraph was quoted by the Leader of the House, namely, para. 109 of the Report. The Tariff Board clearly stated that they expected Government requirements to be something like 200,000 tons, and basing their recommendation on those requirements, they stated that a fair price to pay the Tatas would be Rs. 110. But they further stated that if the requirements of the Government fell in the future, the basis on which they had calculated Rs. 110 would have to be altered. The requirements of the Government did not come up to 200,000 tons per annum. The figures were quoted by the Leader of the House; and therefore the recommendation on which Government acted did not hold good. If they wanted to continue to carry out that recommendation, they would naturally have to revise that figure

of Rs. 110. They did so temporarily, but they submitted the whole question again to the Tariff Board, and the Tariff Board's Report confirmed the arrangement which Government had temporarily come to, with only one difference; for rails of 115 lbs. the Tariff Board had recommended a rate of Rs. 137, but Government reduced it by Rs. 7, and made the rates for both rails of 90 and 115 lbs. Rs. 130 per ton. Therefore the Resolution is merely carrying out the recommendations of the Tariff Board of 1927, confirmed by the Tariff Board of 1931.

**Maulvi Muhammad Yakub:** Are the Tariff Board's recommendations gospel truth?

**Sir Cowasji Jehangir:** I think the recommendations of the Tariff Board deserve greater weight than the opinions of my Honourable friend.

**Maulvi Muhammad Yakub:** What about the condition of the poor cultivator in the country?

**Sir Cowasji Jehangir:** Is it a business proposition? I think the Leader of the House has made out fairly clearly that this is a business proposition. I will just quote one figure; when the strike was on in the Tata Steel Works, Government had to buy imported rails. In 1928-29 they paid Rs. 134.4 for their rails as against the contract rate of Rs. 110. That figure alone is sufficient to show the House that they had made a fairly good bargain when they had contracted to buy rails at Rs. 110 . . . .

**Mr. K. Ahmed:** That might have been better quality: how do you know?

**Sir Cowasji Jehangir:** The quality is exactly the same; there is no difference in the quality whatsoever. I put this figure before you as an answer to the criticism that the contract was not made altogether on a business footing.

After the very lucid statement made by the Leader of the House, I do not desire to continue to give you any further details. I think you will find that if steel rails were not made in this country, Government would have to face a combine and ultimately would have to pay much higher prices than they are paying at present. It therefore pays Government to see that the Steel Company continues to make rails. We have heard a great deal about this country's ability to take up the responsibility for her own defence. I would remind this Honourable House that the continuance of the Steel Works is very closely connected with the question of the defence of this country, and that in anything that they do to enable the Company to continue working, they must not forget that one day they will be responsible for the defence of their own country, in which event the steel works in India will become an absolute necessity in the best interests of the country itself.

**Maulvi Muhammad Yakub:** Who is going to invade India?

**Mr. K. Ahmed:** There is no fear of any foreign attack now.

**Sirdar Harbans Singh Brar** (East Punjab: Sikh): Sir, as a representative of the rural population, I rise to oppose the motion made by the Honourable the Commerce Member. Seven years ago when protection was given to the Tata Iron and Steel Company for the first time, they had undertaken to curtail their expenditure by a substantial figure, and the

[Sirdar Harbans Singh Brar.]

Fiscal Commission also in their recommendation laid down that the industry must be one which will eventually be able to face world competition without protection. In these seven years the Tata Iron and Steel Company, Sir, have not made much progress towards that end. We have paid them about 10 to 12 crores of rupees during this period, and their total assets at present amount to about 14 or 15 crores, from which a deduction on account of the fall in the debenture stock must be taken into account. Their staff is most highly paid. Their managers are paid very high salaries, I think, their Chief Manager gets as much as Rs. 25,000 per month, which even the Governor General does not get. Sir, this is nothing but scandalous. (*An Honourable Member*: "The Manager is paid Rs. 10,000 a month.") But it has been admitted in the other House that the Manager is paid Rs. 25,000 per month, and this was stated by a Director of the Tata Iron and Steel Company itself. (*An Honourable Member*: "It has been reduced to Rs. 10,000") Now, they might have reduced the pay, but anyhow, the salaries that are paid by the Tata Company to its employees are very high, because when some Europeans getting Rs. 2,000 per mensem in service retire from Government service, they are again re-employed by the Tata Iron and Steel Works on Rs. 5,000 and Rs. 6,000 per month. Therefore, naturally Government support the Tata Iron and Steel works, because they provide employment for the white races at enormously high rates, and Government generally try to fill the pockets of those who in turn will give high wages to white races. Sir, there are rumours that the Company is passing into the hands of the Americans, because it is not a paying concern without protection every year from the Indian taxpayer. . .

**Mr. Gaya Prasad Singh** (Muzaffarpur *cum* Champaran: Non-Muhamadan): Sir, by the way may I know if there is any foundation for the rumour that the concern is going into the hands of the Americans?

**Sir Cowasji Jehangir**: I may state for the information of the House that there is no foundation whatsoever either for that statement or the rumour.

**Maulvi Muhammad Yakub**: But the silence of the Honourable the Commerce Member shows something else.

**The Honourable Sir George Rainy**: I did not hear what was suggested, and for that reason I was silent.

**Maulvi Muhammad Yakub**: It is better not to hear such things. (Laughter.)

**Sirdar Harbans Singh Brar**: I said that there are rumours that the Tata Iron and Steel Company is passing into the hands of the Americans.

**The Honourable Sir George Rainy**: I have heard no such rumour. I do not know from where my Honourable friend got his information.

**Sirdar Harbans Singh Brar**: It has been asserted in the other House and has not been challenged even by the Directors of the Company who spoke in the debate. Well, in any case, Sir, the poor taxpayer cannot afford year by year to provide this Company with such enormous sums by way of protection. The Company must try to meet its expenditure from its own resources, and as even other very necessary industries like wheat

cannot be protected, we do not want to fill the pockets of these millionaires of Bombay and Calcutta every year at the expense of the poor people. If the Tata Iron and Steel Company are not able to run their concern profitably, then let them wind it up, let them go into liquidation. When we ask them to curtail their expenditure and to put their management on a more economical and efficient basis, we are always told that we are not shareholders and we have no business to interfere with their internal management. One who pays the piper must call the tune. Unless, therefore, they agree to our interfering in their management, we should not give the Company any concessions every year to the extent of crores and crores. With these few remarks, Sir, I oppose the motion.

**Mr. B. V. Jadhav** (Bombay Central Division: Non-Muhammadan Rural): Sir, I am neither a shareholder in the Tata Iron and Steel Company nor am I interested in any of their other enterprises . . . .

**Maulvi Muhammad Yakub:** But you are a Bombay man, after all.

**Mr. B. V. Jadhav:** Is it a sin to be a Bombay man? I was never connected with the Tatas, and I have no interest in it at all. But what amuses me, Sir, is that some Honourable Members here are, I am sorry to say, wilfully misunderstanding the whole question. The question before the House is the recommendation of Government that the price at which steel rails were contracted to be purchased by Government has to be increased on account of the altered circumstances; or in other words, the Government contracted to purchase rails at Rs. 120 per ton, and the Company is to be paid Rs. 10 more per ton, because the Government's requirements have materially decreased. Some Honourable Members on this side of the House have been arguing the case on the assumption that this additional sum of Rs. 10 is a bounty. I do not see any bounty in this case, and as long as this is not a bounty and this additional amount is not in the nature of protection to the industry. I do not think that the remarks passed here are justified.

Sir, much has been said about protection and that at one time or other the Tata Works have been given bounty to carry on their works. This is done not because that industry will ever be able to stand on its own legs, but because it is a key industry. A key industry is one which must be maintained for the good of the country, and as my Honourable friend, Sir Cowasji Jehangir, has pointed out, in the defence of one's own country the existence of a steel Company like Tatas is absolutely necessary. And therefore, if a company cannot make any profit at all or even if it works at a loss, such steel concerns ought to be maintained in the general interest of the country.

**Sirdar Harbang Singh Brar:** And not food? Not wheat?

**Mr. B. V. Jadhav:** I think the question of food was adequately dealt with yesterday, and it need not be reopened today. Every body in this House is concerned with food because we cannot do without food. It must be understood that the proposal which is now made by Government is not intended as protection for the steel industry; it is intended to protect the country, and the protection of the country is of paramount necessity. I do not think, Sir, I need take much time of the House on this question. I therefore strongly support the motion before the House.

**The Honourable Sir George Rainy:** Sir, I have listened with very great interest to the debate which has taken place and to all that has fallen from the various speakers. In particular, I was impressed by what I heard from my friends, Mr. Yamin Khan and Maulvi Muhammad Yakub. Although I do not agree with them, and although I think that they have not got hold of the wrong end of the stick this time, yet I should be sorry if at any time when a proposal for protection came before this House there were not those in the House who were ready to look upon the proposal with a critical eye and to put forward for the consideration of the House all that could be urged against it by, let me say, the *advocatus diaboli*. Now when my Honourable friends ask why we should make this extra payment to the Tata Iron and Steel Company, and if we do so, why should we not make additional payments to the wheat growers and to all the other industries in India, my reply to them is that the Tata Iron and Steel Company represents a great national industry, and that it is an industry which the Legislature, after the fullest deliberation, definitely decided ought to be protected in the national interest and unless this payment is made, then the industry will not receive the protection which the Legislature deliberately intended it should have. This is not additional protection; it is protection to make good what has fallen short of the intentions of the Legislature. That is the ground upon which it is put forward.

Now, I should like to say something about what fell from my Honourable friend, Mr. Das. I was not unprepared for it, because not only did he tell me that he was going to speak, but I have heard him on the same subject on previous occasions. I should like to put it to him, whether it is in the best interests of the country or of the industry, if the representatives of the industry have to undergo a good deal of vilification every time a proposal in connection with it is put before the House. My Honourable friend made a large number of general statements, but I do not feel that they were statements which could be fully substantiated by evidence. I would like to ask my Honourable friend a particular question. He undoubtedly knows that the position of the Tata Iron and Steel Company was recently debated in another place on a Resolution moved by a non-official Member. Has my Honourable friend studied the debates that took place in another place on that Resolution?

**Mr. B. Das:** I just glanced through it in the newspapers.

**The Honourable Sir George Rainy:** But if he had done more than merely glance through it, and if he had read the debates, he would have got a great deal of the information he asked for, and if he is really so interested in this subject, would it not be a proper step for him to take, to have recourse to all sources of information? In that debate one of the speakers was a Director of the Company, very well known and very highly respected in this House and outside it, I mean, the Honourable Sir Phiroze Sethna. Some of the figures he gave in his speech have already been given by my Honourable friend, Sir Cowasji Jehangir, but there are one or two other passages in that speech from which I should like to quote, because I think they meet the points taken by my Honourable friend. For instance, on the question of economy first, here is one passage:

"For example, the cost of the non-Indian officers in the year 1925-26 for the operation department was 10.67 per ton; to-day it is only 4.99 per ton."

It will appear that the very heavy cost of salaries of non-Indian officers in the year 1925-26 has now fallen to less than half. That is surely a significant fact, and a fact which ought not to be ignored, and it certainly is not a fact which justifies the very general assertion that nothing has been done in the way of Indianisation and that nothing has been done in the way of reducing costs. Then, take this question of Indianisation. This is a very cogent argument which the Honourable Sir Phiroze Sethna advanced:

"But I would ask the House to remember one important fact, and it is this, that you cannot Indianise in the steel industry as you can in, say, the cotton mill industry. Take the case of the Tatas themselves. They have cotton mills at Nagpur, in Bombay and at Ahmedabad. There was a time when they did employ Europeans in the higher appointments in these mills; to-day so far as I know there is not a single European in any one of their mills at any one of the three places I have named. And why? Because Indians can be had for these positions. How can you possibly get Indians for superior positions in the steel industry when the Tata Iron and Steel Company is the only steel company in India? You can get Indians only by training them up in the Tata Iron and Steel Company, or by employing such Indians who have gone on their own account to learn the work in Europe or in America. Very few Indian parents would incur the expense of thousands of rupees to send their boys to distant countries in the hope that when they returned they may get suitable employment in the solitary Indian steel concern, namely, the Tata Iron and Steel Company. Therefore the Company has to depend on the young men it trains up. . . ."

**Mr. B. Das:** I strongly differ from the Honourable Sir Phiroze Sethna in his observations. In his facts he may be correct, but his inferences are undoubtedly wrong. He was speaking as a Director and not as a national Indian.

**The Honourable Sir George Rainy:** If my Honourable friend means to assert this that there are today in India a very large number of Indians who are competent to fill the higher appointments in the steel manufacturing concern, I can only say this,—and I claim to have more experience of the steel industry than my Honourable friend,—that I differ from him. The time will come when there will be plenty of Indians for such appointments—I have no doubt about it for a moment, and we all hope to see it,—but I think it is utterly unfair to make assertions against the Company that they are not Indianising as fast as they can when the facts are as were explained by the Honourable Sir Phiroze Sethna in another place.

**Mr. B. Das:** They drove out the best Indian hands from their works, who had to find employment elsewhere. Whenever Indians with American experience come, they are given such low offers that they cannot accept them. I know some of them and they have got the best American experience.

**The Honourable Sir George Rainy:** If my Honourable friend differs from me, I do not see how that is a sufficient reason for interrupting me, because the debate then becomes a sort of exchange of opinions across the floor of the House. I respect my Honourable friend's right to his own opinion, but I do urge most strongly that in this question,—and remember that the Directors of the Company are responsible to the shareholders for their commercial management,—it is not possible to say that Indianisation shall be carried out at some rate laid down in advance. It can only be done having regard to the actual facts and the actual number of people competent to fill appointments who are available in India at a particular time. Knowing as I do the Tata Iron and Steel Company, it

[Sir George Rainy.]

seems to me to be almost a travesty of the facts to suggest that the Directors of the Company are not interested in Indianisation. It is equally a travesty of the facts to say that they are not interested in reducing costs to the lowest possible level. If my Honourable friend were a director, and if he had to meet the shareholders of the Company every year at the annual general body meeting in Bombay, he would find in it a very powerful incentive to reduce costs to the utmost extent possible, and although the progress of the Company was sadly retarded by the strike that took place in 1928-29, I am very glad to be able to say that from all the information I can get there has been in the last two or three months a very marked improvement in the results. I think that it would be utterly unfair for any one in the House to come to the conclusion that the Company will not make good and attain those results which the Tariff Board in their 1927 Report believed to be feasible.

**Mr. B. Das:** Let us hope so.

**The Honourable Sir George Rainy:** I have spoken strongly perhaps, Mr. President, because I do believe that it is not wise when you have a great Indian enterprise, the superior management and direction of which is in the hands of Indian Directors,—it is not wise or fair constantly to bring against them charges to the effect that they are incompetent and they do not know how to run their business and so on. What will people outside India think of the thing? Will they not say, Indians no doubt know their own country best and what they say ought to be believed, and is not that the sort of impression or opinion throughout the world that my Honourable friend would like to see produced? That is not my view of the Tata Iron and Steel Company.

That I think covers the important points taken in the debate, and I do not wish to delay the House any further.

**Diwan Bahadur A. Ramaswami Mudaliar** (Madras City: Non-Muham-madan Urban): May I ask whether shareholders who have a personal interest in the concern are precluded from voting?

**Mr. President:** There are previous rulings on the subject.

(After looking up previous rulings.)

**Mr. President:** Order, order. I have the rulings to which I referred. I need not trouble the House with the first ruling. It deals with the question whether shareholders and Directors can take part in the discussion. The ruling is that they can. The question that the Honourable Member has now raised is whether shareholders can vote and I will read out the previous ruling on the point:

“I think the Honourable Member is asking me to play the ostrich. The Honourable Member (Mr. Chaman Lal) has put to me a question as to how far the shareholders in steel companies that will benefit by this Resolution, whatever the name of the steel company may be, should or should not vote on this Resolution. That question has been settled by the established practice of the House of Commons which I think we may reasonably follow here. It has been raised in the history of the House of Commons

on many occasions and is now well settled in practice. The practice is that where the individual member of the House of Commons is actually an active partner in a business, not a limited liability company, it is a misdemeanour on his part to vote; and there have been cases in recent Parliamentary history where a measure has had to be passed to indemnify a partner in a business in England from the penalties otherwise leviable upon him for having given his vote in the House of Commons on any subject, not merely on a question in which he was personally interested. The question has been settled, however, in this form that where the shareholders of any company which receive subsidies or other benefits from His Majesty's Government are members of the House of Commons, they are perfectly entitled to register their votes either on that or on any other question, the only question being whether it is a matter of propriety for them to do so and that is entirely a matter for the personal judgment of the Member concerned."

Honourable Members will observe that the ruling is quite clear on the point of order raised.

1 P.M. The question is that the following Resolution be adopted:

"This Assembly recommends to the Governor General in Council that he should make to the Tata Iron and Steel Company, Limited, an additional payment for such quantity of rails as may be ordered from the Company for the year 1931-32 under the terms of the existing contract made by the Secretary of State for India in Council with the Company such additional payment to be at the rate of Rs. 20 for each ton of rails over and above the price specified in the contract, namely, Rs. 110 per ton. This Assembly further recommends that for such quantity of rails of 115 lb. per yard section as may be ordered from the Tata Iron and Steel Company, Limited, for the year 1931-32 the Governor General in Council should make an additional payment at the rate of Rs. 10 for each ton of rails over and above the price fixed for these rails in 1929, namely, Rs. 120 per ton."

The Assembly divided:

AYES—51.

Allah Baksh Khan Tiwana, Khan  
Bahadur Malik  
Anklesaria, Mr. N. N.  
Ayyangar, Diwan Bahadur V.  
Bhashyam.  
Azhar Ali, Mr. Muhammad.  
Baipai, Mr. R. S.  
Banarji, Mr. Rajnarayan.  
Baum, Mr. E. F.  
Boag, Mr. G. T.  
Chatterjee, The Revd. J. C.  
Clerar, The Honourable Sir James.  
Das, Mr. B.  
Dudhoria, Mr. Nabakumar Sing.  
Fazl-i-Husain, The Honourable Khan  
Bahadur Mian Sir.  
Fox, Mr. H. B.  
French, Mr. J. C.  
Ghuznavi, Mr. A. H.  
Gidney, Lieut.-Colonel H. A. J.  
Graham, Sir Lancelot.  
Gwynne, Mr. C. W.  
Hezlett, Mr. J.  
Howell, Mr. E. B.  
Jadhav, Mr. B. V.  
Jawahar Singh, Sardar Bahadur  
Sardar.  
Khurshed Ahmad Khan, Mr.  
Macmillan, Mr. A. M.

Mista, Mr. B. N.  
Montgomery, Mr. H.  
Mudaliar, Diwan Bahadur A.  
Ramaswami.  
Mujumdar, Sardar G. N.  
Mukherjee, Rai Bahadur S. C.  
Munshi, Mr. Jehangir K.  
Murtuza Saheb Bahadur, Maulvi  
Savyid.  
Pandit, Rao Bahadur S. R.  
Parsons, Mr. A. A. L.  
Rainy, The Honourable Sir George.  
Raisman, Mr. A.  
Rau, Mr. H. Shankar.  
Roy, Mr. K. C.  
Sahi, Mr. Ram Prashad Narayan.  
Sams, Mr. H. A.  
Sarda, Rai Sahib Harbilas.  
Schuster, The Honourable Sir George.  
Scott, Mr. J. Ramsay.  
Sher Muhammad Khan Gakhar,  
Captain.  
Shillidy, Mr. J. A.  
Singh, Mr. Gaya Prasad.  
Suhrawardy, Dr. A.  
Sykes, Mr. E. F.  
Tin Tut, Mr.  
Wajihuddin, Khan Bahadur Haji.  
Young, Mr. G. M.



## NOES—12.

Chandi Mal Gola, Bhagat.  
 Harbans Singh Brar, Sirdar.  
 Hari Raj Swarup, Lala.  
 Ismail Ali Khan, Kunwar Hajee.  
 Kyaw Myint, U.  
 Parmanand Devta Sarup, Bhai.  
 Roy, Kumar G. R.

Singh, Kumar Gupteshwar Prasad.  
 Talib Mehdi Khan, Nawab Major  
 Malik.  
 Thampan, Mr. K. P.  
 Yakub, Maulvi Muhammad.  
 Yamin Khan, Mr. Muhammad.

The motion was adopted.

The Assembly then adjourned for Lunch till a Quarter Past Two of the Clock.

The Assembly re-assembled after Lunch at a Quarter Past Two of the Clock, Mr. President in the Chair.

### RESOLUTION *RE* DRAFT CONVENTION REGULATING HOURS OF WORK IN OFFICES, HOTELS, ETC.

**Mr. J. A. Shillidy:** (Secretary, Industries and Labour Department):  
 Sir, I move:

"This Assembly, having considered the following Draft Convention and Recommendations adopted by the Fourteenth Session of the International Labour Conference:

- (1) Draft Convention concerning the regulation of hours of work in Commerce and Offices;
- (2) Recommendation concerning the regulation of hours of work in hotels, restaurants and similar establishments;
- (3) Recommendation concerning the regulation of hours of work in theatres and other places of public amusement; and
- (4) Recommendation concerning the regulation of hours of work in establishments for the treatment or the care of the sick, infirm, destitute or mentally unfit,

recommends to the Governor General in Council that he should not ratify the Draft Convention nor accept the Recommendations."

I think it will be in accordance with the desire of the House that my remarks on this Convention should be as short as possible, subject, of course, to the condition that I place the House in full possession of the contents of this Convention and of the reason why we recommend the Governor General in Council not to ratify the Convention. I may say that it is with great regret that we have come to this decision and when I say that it is with great regret it is not merely a manner of speaking. I think I can appeal with full confidence to the record of the Government of India in its labour legislation and to the record of this House in the support that it has given to the Government of India in the matter of labour legislation and labour conventions to show that we can come to a decision of this kind only most reluctantly and because we are convinced that the Convention which we have under consideration is one which we cannot accept. Before I go to the actual terms of the Convention, I would just like to remind Members of something which I am sure they will remember. But nevertheless let me remind them again

that once you ratify a Convention you cannot ratify it with reservations. You ratify it fully and if you ratify it, you must implement it hereafter fully in every detail. Now, Sir, let me invite the attention of the Members to the Convention itself. I believe Members have had a copy of the Convention supplied to them. Article I shows that it applies to persons employed in the following establishments, whether public or private, commercial or trading establishments, establishments and administrative services, mixed commercial and industrial establishments. I need not go through it at all. Then the second part of that Article says that it shall not apply to persons employed in certain establishments. And I would just remind Members that if they will look at the Recommendations they will find that these Recommendations refer to those establishments which have been exempted in the second part of this Article. Then the third part of the Article says that it is open to the competent authority in each country to exempt from the application of the Convention (a) establishments in which only members of the employer's family are employed, (b) offices in which the staff is engaged in connection with the administration of public authority, (c) persons occupying positions of management or employed in a confidential capacity, and (d) travellers and representatives. The first point I wish to make is—and it is a matter of some importance as I shall be able to quote on authority afterwards—that the first objection to this Convention is that it is so very wide that it attempts to include within one Convention establishments of a most different kind both in character and in degree throughout the whole of the country. It is not, I put to the House, a sound or wise practical proposition to attempt to include within one Convention conditions of work which vary so much. Then the wording of Articles 3 and 4 is not very clear, but I think it is quite clear as to what is meant. The hours of work of persons to whom this Convention applies shall not exceed 48 hours in the week, and normally 8 hours, but in no case more than 10 hours in the day. I may point out that in Article 6 it is permitted to have a spread-over. To give an example. You may have 60 hours in one week but then in that case you would have 36 hours in the next week, if you are spreading out over a fortnight. Here, again, I would like the House to consider whether it is wise to accept a Convention which asks for 48 hours a week in regard to commercial houses and trading establishments when actually at the present time under the Washington Hours of Work Convention we may have a 60 hour week in India, when under the Factories Act we have a 60 hour week, when under the Mines Act we have a maximum of 60 hours for work above ground and a maximum of 54 hours for work underground. Therefore, I think that the House will agree with me that this Convention is going much too fast and that it has not taken into consideration the special conditions of India when they ask us to accept 48 hours a week straight off.

**Mr. K. Ahmed** (Rajshahi Division: Muhammadan Rural): What was your representative delegate doing there?

**Mr. J. A. Shillidy**: I will come to that later. Then, Sir, I would invite the attention of the House to Article 7 because I am very anxious that the case should be stated absolutely fairly. Now by that Article you are permitted certain permanent and temporary exceptions. Of the

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temporary exceptions I do not think I need say anything. They are to meet special emergencies. But permanent exceptions may be allowed for:

- (a) Certain classes of persons whose work is inherently intermittent;
- (b) Classes of persons directly engaged in preparatory or complementary work; and
- (c) Shops and other establishments where the nature of the work, the size of the population or the number of persons employed render inapplicable the working hours fixed in Articles 3 and 4.

It may be asked why with these exceptions do you object to this Convention on the ground that it includes so many different classes of establishments all over India within the terms of one Convention. But all that the exception really allows, if Honourable Members will read that Article, is the allowance, by special regulation, of certain additional hours of work. It goes on to prescribe that for these additional hours of work there shall be overtime pay, which shall not be less than one and a quarter times the regular rate, and it does not exempt these places from what I imagine to be a practical difficulty that is brought about by this Convention. I will come to that practical difficulty immediately. That will be found in Article 11. Article 11 states that for the effective enforcement of the provisions of this Convention, the necessary measures shall be taken to ensure adequate inspection. Every employer shall be required to notify by the posting of notices in conspicuous positions in the establishment or other suitable place or by such method as may be approved by the competent authority the time at which hours of work begin and end, and where work is carried on by shifts, the times at which each shift begins and ends, to notify in the same way the rest periods, to keep a record in the form prescribed etc., etc. Article 12 says:

"Each Member", [that is each signatory to the Convention] "which ratifies this Convention shall take the necessary measures in the form of penalties to ensure that the provisions of this Convention are enforced."

Now Sir, it amounts to this, that every small employer, throughout the length and breadth of the land, has got to maintain these notifications; every employer has to keep these different records and fill them up, and in addition to that we have got, by an inspectorate to see that every employer fulfils these requirements. It means to start with, an enormous inspectorate with a heavy cost. It is very easy for the Government of India, it will be very easy, I may say, for the Assembly to agree to it, but the cost of it will fall on local bodies. I submit, Sir, that the cost of the inspectorate is so large that it will be necessary to employ existing establishments. I am not very conversant with the conditions prevailing in other provinces, but I think I may claim to know Bombay and Sind, and I am quite certain that the only way in which we shall be able to cope with this provision, that is, if you are not going to sign it merely for the purpose of eye-wash before the world, if you are going to sign this Convention with every intention of giving effect to it, and if we are going to enforce it practically and thoroughly and act up to it honestly, we shall be able to do all this only if we employ our village officers on this work of inspection. I have no desire to say anything

against village officers. They are an admirable body of men, who work most loyally by the Government to the best of their ability. But I would ask this House if it considers that this village establishment is suitable for work of inspection of this kind.

**Maulvi Muhammad Yakub** (Rohilkund and Kumaon Divisions: Muhammadan Rural): What is meant by village officers?

**Mr. J. A. Shillidy:** I cannot speak about the United Provinces. I am not saying this in any way to score off my Honourable friend. I am merely speaking about Bombay and Sind. The village officers in part of Bombay Presidency are for instance *Talatis*, and the village officers in Sind are the *Tapedars*. That is the village officer is a person who goes round and collects revenue and deals with other matters relating to revenue . . . . .

**Mian Muhammad Shah Nawaz** (West Central Punjab: Muhammadan): Just as the *Patwaris* in the Punjab.

**Mr. J. A. Shillidy:** I ask the Honourable Member whether the *Patwari* would be a suitable person to whom we could entrust fully and with confidence inspection work of this kind.

**Maulvi Muhammad Yakub:** If he can be entrusted with very important revenue papers, why not entrust him with this inspection work also.

**Mr. J. A. Shillidy:** I think if you entrust him with this, it will not amount to adequate inspection. I have no desire to say anything against an admirable body of men, but it does open up opportunities for them which I think this House would be wise not to open up.

**Mr. K. Ahmed:** When the House is very thin, why did you bring forward this Resolution then?

**Mr. J. A. Shillidy:** It was not my desire to bring forward this Resolution on the last day.

I think I have stated the main objections to this Convention to show that it is not really a practical one. One Honourable Member asked me, was any sort of enquiry made as to whether there would be any practical objections to the ratification of this Convention. If Honourable Members will allow me, I will just read out a very short *precis* from the opinions of Local Governments when they were consulted on the advisability of a Convention or a Recommendation being adopted by the Government of India. The Bihar and Orissa Government were of opinion that legislation of this type, that is of the type which would follow from the acceptance of the Convention, would be particularly difficult to apply or to enforce in the present conditions obtaining in India, and they agreed therefore that if any practical use was to be made of such legislation, it must first be limited to organised undertakings.

The Government of Burma were of the opinion that whatever the disabilities of the salaried employees might be there were far worse abuses urgently requiring attention in India and there was the danger that those well meant efforts of the International Labour Organisation would dissipate energy which ought to be concentrated on other and more serious abuses.

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The Government of Bengal pointed out that the salariat had shown little or no demand for regulation and in no circumstances was the Government of Bengal aware that regulation had been proved necessary on humanitarian or other grounds.

The United Provinces Government was of the opinion that there was no ground for supposing that salaried employees as a class suffered from overwork or a lack of sufficient leisure or that any measures for their protection in these respects were necessary.

The Government of Madras pointed out that under the present proposals there were certain dangers.

The Government of Bombay said they would not be a party either to the Convention or the Recommendation.

I can at least speak with regard to Bombay that in matters relating to labour, it has always shown itself friendly in the cause of labour and not prepared to turn down recommendations of this kind lightly.

Now, there was considerable discussion at the Conference and there was anything but unanimity. Our own delegates submitted a Report at the end of the Conference and I would just like to remind Honourable Members who they were. Our delegates were Sir Atul Chatterjee and Dr. Paranjpye. They said:

"The general scope of the Draft Convention prepared by the International Labour Office covered all kinds of commercial and clerical work not covered by the Washington Convention, with the exception of such work in hostels, hospitals, hotels and restaurants, etc., and theatres and places of amusement."

I quote that to show that when I made my first point, I was accurate and that it is also the view of these delegates of ours who were there at the time. They go on to say:

"The general position on the conclusion of the Committee stage was therefore that the scope of the Convention, as amended by the Committee and as eventually practically adopted was extremely uncertain, although it clearly affected groups of works in all sorts of trade and occupations and the ratification of such a Convention would involve a maximum of Government interference with a minimum of effective control."

Again they write:

"The Convention can scarcely be regarded as satisfactory a result which might have been anticipated from an attempt to deal with a very wide range of employments carried on in varying conditions in the absence of exact knowledge of the circumstances of each and seems fully to justify the non-committal attitude adopted by both the British and the Indian Governments."

Now, I wish to make the position of the Government perfectly clear in regard to this matter. We do not want to take up this position of refusing to ratify the Convention and saying, "This is finished; we do not intend to do anything more for it, nor have anything to do with the matter at all". I want to make it perfectly clear that, while Government at the present stage do not see their way to ratify the Convention or to adopt the Recommendations, they do not consider that the Resolution, if passed, will not commit the Government to this attitude, once and for all. If at any time, in the future Government find evidence to show that the time is ripe for action on the lines of the Convention in respect of particular classes of undertakings, they will be fully prepared to revise their present attitude. As regards the Recommendations, the Government

are similarly prepared to change their present attitude and to take action, if in the future, they find evidence to show that such action may be taken with profit.

I do not wish to take the time of the House further. I will only say two words about the Recommendations. They are recommendations that we should make inquiries into certain kinds of businesses. I would invite the attention of Honourable Members to these businesses, and I think I can confidently say—because a great majority of Members themselves know what are the conditions of work in those various establishments—that they will agree that there has been no case made out for starting on an inquiry for which there is no demand. I hope, Sir, in view of what I have said in regard to the position of Government and in regard to their readiness to institute inquiries if necessary at any time, it will not be necessary to press the various amendments of which notice has been given.

**Mr. N. M. Joshi** (Nominated Non-Official): Sir, I beg to move:

“That the word ‘not’ occurring between the words ‘should’ and ‘ratify’ be deleted and the word ‘and’ be substituted for the word ‘nor’ occurring between the words ‘Convention’ and ‘accept’.”

**Mr. C. C. Biswas** (Calcutta: Non-Muhammadian Urban): Sir, I rise on a point of order. Is not the amendment a direct negative of the Resolution itself?

**Mr. President:** The Honourable Member's point of order is that the amendment is a direct negative of the motion. I have given the best consideration to the matter and I have come to the conclusion that it is not and it does not come under the Standing Order to which the Honourable Member has drawn my attention. The object of the Honourable Member in moving his amendment is to place before the House the second issue involved, the issue of ratification of the Convention as against the Government's recommendation not to do so. If that Standing Order were interpreted as contended the result would be that rejecting the Government Resolution would not mean that the House had decided to ratify the Convention. It is therefore necessary that the amendment should be allowed, as it is not a direct negative in the sense covered by the Standing Order, but gives the House an opportunity of deciding whether they want to ratify the Convention or whether they want to refuse to do so.

**Mr. N. M. Joshi:** Sir, it is already clear now to Members what my amendment is. My amendment is that the Government should ratify the Convention and should accept the recommendations of the 14th session of the International Labour Conference. While speaking on this Resolution and my amendment, I am somewhat at a disadvantage on account of the manner in which Government have thought fit to bring this matter before the Legislative Assembly. The matter deals with two subjects, first, the ratification of the Convention and secondly, the acceptance of the Recommendations. I feel, Sir, that if your office had brought to your notice the Standing Order that a Resolution should contain one definite issue only, I am sure you would not have admitted this Resolution in the form in which it has been placed before this House. Because, the Resolution deals with two matters which are absolutely different: one is the ratification of the Convention and another is the acceptance of the Recommendations, which are quite different. In the first place, as the Honourable the Mover of the Resolution has made it clear, if you ratify the

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Convention, you have to pass legislation giving effect to every word of the Convention; but even if you accept the Recommendations, you are not bound to accept every word of the Recommendations but only to take some action or other on the Recommendations. These are two quite different matters. The House may be willing to agree with Government—I do not say that it will—that the Convention need not be ratified. At the same time, the House may feel that the Recommendations, which only throw upon them the much slighter responsibility of considering them with a view to taking some action, should be accepted. Another point is this. After all, if the Members have read the Recommendations, they will find that the Recommendations are that the Government should make an investigation into the conditions of work of people working in theatres, hospitals, etc., and report within four years' time. These Recommendations stand on quite a different footing. The action to be taken on these Recommendations is but little, and I feel, therefore, that it was wrong on the part of Government to have included these two matters in one Resolution. But, Sir, as I am always a consistent supporter of the dignity and prestige of the Chair, I do not raise that objection here now. At the same time I shall ask for your indulgence that, when you put this Resolution to the vote, you should put these matters to vote separately, so that the House may give its vote on the Convention and on the Recommendations separately.

Sir, the Convention, as the Honourable the Mover of the Resolution has stated, deals with the regulation of hours of people employed in commercial establishments, and of people employed in administrative offices. I feel, Sir, that the regulation of the hours of work of this class of employees is absolutely necessary. India as well as the whole world has accepted the principle of regulating the hours of work of factory workers. We have a Factory Act, and I feel that similar regulation of work is also necessary in the case of people working in offices. I do not suggest for a moment that the conditions of factory workers and the conditions of employees in commercial offices are absolutely the same. They differ to a great extent in some matters. In some matters you may say that there is a greater necessity of regulation in the case of factories, but it is quite possible for us to show that, in the case of the employees of commercial offices, from another point of view, there is greater necessity for regulation. In the case of factory workers, they are generally people who are ignorant and illiterate, and from that point of view there is greater need of regulation of work in factories. They also have to do more physical work and under conditions which are unhealthy. But, Sir, there are other points of view from which there is greater necessity of regulation of work of commercial employees and the employees in administrative offices. In the case of factory workers they generally work in large groups. There are factories with a hundred people or even a thousand people and more, working in each. It is easy for these factory workers to organise themselves for self-defence. It is easy for them to organise themselves for regulating their conditions of work by collective bargaining with their employers. But in the case of the employees in the offices, there is a greater difficulty in the way of their organisation. They work generally in small places; there are indeed some places where there are 100 or 200 employees

working, but these places are few in number; and you will certainly not find many places where there are more than a thousand people working. From the point of view of organisation, there is a great difference between factory workers and the employees in commercial enterprises and administrative offices. These people are more difficult to organise because they work in small isolated groups spread over the whole country, they are scattered over large areas. As they are difficult to organise, there is the greater need for their protection, for the regulation of hours and of other working conditions in their case by statute with the help of the Government. These employees in administrative offices are trying to organise themselves for self-defence. I know there are some associations of commercial clerks in Calcutta and some in Bombay and I also know that they are trying to strengthen their organisations further by forming themselves into federations; but still they are not strong enough today to secure proper conditions of life and work by their own effort unassisted by the Government and by the Legislature. The employees of Government offices are better organised, but then, even in their case, their organisations are not strong enough to secure for them proper conditions of work. Moreover, in the case of Government servants there is another difficulty, that it is difficult for them to agitate in the way in which private employees can agitate. The rules for the conduct of Government servants in many cases come in the way of agitation. I know that these poor Government servants are even prevented from approaching Members of the Legislature to get their grievances redressed. In their case, there are also difficulties for the proper regulation of their conditions of work. But more than this, there is another very special difficulty in the case of these employees. Not only here, but all the world over, there are always more men available than jobs. This House itself has considered more than once the question of the unemployment of the middle classes, which means unemployment among the community with which we are dealing today. If you want a clerk, there are ten, if not a hundred applications; and that is the real difficulty in the way of these people securing proper regulation of their conditions of work. There is very great unemployment in the country, with the result that in determining the conditions of service, the employer is always at an advantage and the employee is always at a disadvantage, with the result that, unless the Government come forward and legislate on their behalf, not much can be secured by these people by their own efforts.

Sir, the Honourable the Mover of the Resolution has pointed out certain difficulties, but I feel that he has exaggerated those difficulties. In the first place, the Convention has given, in my judgment, very generous concessions. The Convention makes exceptions in the case of small concerns where members of the same family are working; it makes exceptions in the case of managers and people in a confidential capacity. Now, Sir, if a concern is a small one, there will be only one man in charge who will be the manager, and if there is a clerk, there will be only one clerk who will be the confidential clerk as well, and these small concerns which engage one or two people can always be exempted under this clause. Therefore, there is no real difficulty from the point of view of small concerns at all.

**Sir Cowasji Jehangir** (Bombay City: Non-Muhammadan Urban): How can they be exempted?



**Mr. N. M. Joshi:** By Government notification under section 3 of Article 1 of the Convention. Because there will be only one clerk or one manager.

**An Honourable Member:** He will have to be the adopted son.

**Mr. N. M. Joshi:** There are other permanent exceptions which the Honourable the Mover of the Resolution has pointed out. In the case of shops certain concessions are given for the spread over of hours, and in regard to hours, they also make a permanent exemption in the case of places the population of which is not very large, with the result that you can always give some concessions to offices in villages. In the same way, there is a permanent exemption in the case of smaller concerns, the exception quite clearly says that Government have power to regulate the number of people who are employed in concerns which should be brought under the Convention, so that Government can make a rule that, unless an office has 50 or more people, it should not be brought under the provisions of the Convention. Certainly the Convention will apply, but it will apply with less vigour to those smaller concerns. I therefore feel that the Honourable the Mover has made too much of the difficulties in the way of the application of this Convention.

Then, Sir, the Honourable the Mover exaggerated the difficulties of inspection. It is true that if Government passes legislation, it must make some provision for seeing that the law is properly applied. But, Sir, there is a great difference in this matter between factory inspection and inspection of these classes of offices. I therefore appeal to your indulgence,—because it is the Government that have brought forward several matters in one Resolution and therefore I ask your indulgence to allow me a little more time to deal with the whole subject . . . .

**Mr. President:** The Honourable Member is entitled to fifteen minutes. I will allow him five minutes more, I cannot allow him anything more than that.

**Mr. N. M. Joshi:** I again ask for your indulgence, because it is very difficult to deal with this subject in such a short space of time. I shall finish as early as I can. Sir, the difficulty of inspection is exaggerated, because the people who are concerned here are not ignorant workers in factories, but they are clerks who are expected to know the law, and if there are any breaches of the law, they themselves will bring such breaches of the law to the notice of the Government. Therefore, the inspection that is required is not a serious one, because the breaches of law will be brought to the notice of the Government by those people themselves.

Now, Sir, I come to the Recommendations. The Recommendations are really very small matters. The Recommendations ask Government to make investigation into the conditions of life and work as regards the hours of work in the case of employees of hotels and restaurants, in the case of employees of cinemas and theatres and also in the case of employees of hospitals. Now, Sir, I ask Honourable Members of this House to tell me if there can be any serious difficulty in accepting this Recommendation? Where is the difficulty in making an investigation? The Recommendation does not say what kind of investigation you should make; it does not suggest that you should appoint a committee. You can make your investigation through your own officers. The Recommendation is that the Government should make an

investigation into the conditions of life and work as regards hours in the case of hotels and restaurants, in the case of hospitals, which are not numerous, and in the case of theatres and cinemas, which again are not very numerous. Then again, the Recommendations do not insist upon immediate investigation and report. The Government are asked to make a report within four years' time. I ask the House to tell me if it is difficult for any Government to make investigation into these small matters within four years' time? Why should therefore Government come forward and say that they will not be able to accept this Recommendation? Sir, whatever may be the point of view of Government, I want the Honourable Members of this House to tell me whether there is really any serious difficulty in accepting these Recommendations for making an investigation and a report within four years' time? Sir, the Honourable the Mover also pointed out . . . .

**Mr. S. G. Jog** (Berar Representative): May I know where this period of four years is mentioned? At what page?

**Mr. N. M. Joshi**: I am sorry, Sir, the Honourable Member has not cared to read the Recommendations. Paragraph 3 of each Recommendation mentions specifically the four-year limit. .

**Mr. President**: The Honourable Member's time is getting on.

**Mr. N. M. Joshi**: The information is contained in the Recommendation itself. I cannot tell him at which page, as unfortunately my book has been taken away by some one.

I do not wish to say anything more except this, that the Honourable the Mover stated that the credit of India stands very high in the international world. Sir, I am very glad that it does. But is the credit of India going to be enhanced by the Resolution which he has brought forward now? I am sure what he is doing now is not going to enhance the credit of India in international matters. Sir, I am quite sure that Honourable Members will very seriously consider this Resolution. But I want to tell them one thing, that it will not pay India to always go before the international world and say that we are a backward country; that we cannot ratify their Conventions; that we cannot accept their Recommendations, although they may be asking our Government only to make an investigation. Sir, that attitude will frustrate the purpose for which we are all fighting. It is a wrong attitude, and instead of enhancing our credit in the international world, we shall be lowering it. Here, I may quote the words of Sir Atul Chatterjee, whose name was mentioned by the Honourable the Mover of the Resolution. Sir Atul Chatterjee in addressing the Council of State said this in 1921:

"We have just entered upon a new constitutional era in this country. The eyes of the world, of the democracies of every country in the world, are at the moment on us. I am confident that the Council has a full sense of responsibility for the good name and the dignity of India in international councils. We do not want to be considered a backward nation always and for ever."

Sir, I move my amendment.

**Mr. President**: Amendment moved:

"That the word 'not' occurring between the words 'should' and 'ratify' be deleted and the word 'and' be substituted for the word 'nor' occurring between the words 'Convention' and 'accept'."

**Mr. B. Das** (Orissa Division: Non-Muhammadan): Sir, I move:

"That for the words 'not ratify the Draft Convention nor accept the Recommendations', the following be substituted . . . . ."

**Mr. N. M. Joshi**: May I rise to a point of order, and request you to tell us how you propose to regulate the procedure. I may point out, Sir, that my amendment is for the acceptance of the proposals of the International Conference. If those proposals are accepted by the House, then the other amendments become unnecessary . . . . .

**Mr. President**: Order, order. I thought Mr. Das was going to address the House on the motion and the amendment. The procedure that I have decided to adopt on the present occasion is that the House will decide first between the original motion and Mr. Joshi's amendment. After voting has taken place, it will depend upon the result of such voting whether further amendments could or could not be moved. At present the House is possessed of the original motion and the Honourable Member Mr. Joshi's amendment. Further amendments will only be allowed if Mr. Joshi's amendment is rejected. If it is accepted, then no other amendment can be moved. I thought Mr. Das rose to speak on the motion and the amendment, as I had not called him to move his amendment.

**Mr. B. Das**: I do not wish to speak on the motion. I cannot accept Mr. Joshi's amendment.

**Mr. A. H. Ghuznavi** (Dacca *cum* Mymensingh: Muhammadan Rural): Sir, I rise to support my Honourable friend the Mover of the Resolution. The main objection to the Convention is that it attempts to cover in one formula so many different kinds of businesses. The formula is so large that for practical purposes it is unworkable. The special difficulties which lie in the way of the ratification of the Convention in India are, firstly, absence of an accurate knowledge of the conditions of work of the vast range of occupations and establishments covered by the Draft Convention; secondly, almost complete absence of a demand so far as India is concerned, for the protection conferred by the Draft Convention in respect of the hours of work of the occupations and establishments to which it applies; and thirdly, Sir, the difficulty of reconciling the 60-hour week allowed for India by the Washington Convention of hours of work in industrial undertakings with the 48-hour week laid down in the present Convention in the case of the vast range of non-industrial and non-agricultural establishments to which it applies; and lastly, the necessity, in the event of the Draft Convention being ratified, for the entertainment of an inspectorate of very large dimensions and the consequent expenditure involved in applying the Convention to the thousands of commercial and other undertakings which it covers. Sir, the Government of India in reply to a questionnaire which was issued by the International Labour Office on the subject, expressed themselves in favour of a Recommendation on the subject provided that the Recommendation only applies to organised commercial and trading undertakings and the definition of "organized undertaking" is left to the discretion of each State.

**Diwan Bahadur A. Ramaswami Mudaliar** (Madras City: Non-Muhammadan Urban): May I know from where my Honourable friend is reading out his extracts? I don't think these documents are placed before the House.

**Mr. S. C. Mitra** (Rajshahi and Chittagong Divisions: Non-Muham-madan Rural): Where are you reading from?

**Mr. A. H. Ghuznavi**: The Government of India also stipulated that the maximum hours fixed in each State which adopts the proposed Recommendation should be the same as the maximum permitted to industrial workers under the Washington Hours of Work Convention. The limit imposed on industrial workers by this Convention is a 60-hours week in India. The final decision of the International Labour Conference was to regulate the subject by means of a Draft Convention instead of by a Recommendation as suggested by the Government of India, and it will also be seen from the text of the Draft Convention that the suggestion to make the limits coincide with the limits imposed by the Washington Hours of Work Convention has also been rejected, i.e., a higher maximum week has not been granted for India which, if she ratifies the Convention, will be subject to a 48 hours' week as in the case of European countries. With these words, Sir, I support the Resolution.

**Lieut.-Colonel H. A. J. Gidney** (Nominated Non-Official): Sir, I rise to support the amendment moved by my Honourable friend Mr. Joshi. On reading through the Resolution as moved by my Honourable friend Mr. Shillidy, and after listening to his speech I was struck, nay, I was astounded at the reasons he has adduced for refusing to carry out the Recommendations of the fourteenth session of the International Labour Conference.

Sir, it is said that the present trouble in India is more or less a conflict between a never changing West and an ever changing East. Here, we have an instance of an ever changing East and an ever changing West, but a never changing Government. (Laughter.) The International Labour Conference has recommended that certain enquiries are necessary for improvement of the conditions of the labourer, and yet we have a Member from the Treasury Benches getting up and asking this House to refuse to accept this Recommendation, citing as one of his chief objections, the labour entailed in controlling such small institutions as village banias' shops, meaning thereby that it would be necessary to employ large army of inspectors. Then Mr. Ghuznavi gets up and in supporting the Mover states that such control would be hopeless and impracticable. That is the Government point of view. I now desire to place before this Honourable House the labourer's point of view, and here I join hands with my Honourable friend Mr. Joshi and give him my support. We all know, without being told, of the disadvantages under which the Indian labourer suffers. Before I joined the Royal Labour Commission in India and toured throughout the country, I refused to believe half the things that were told me about the sufferings of the Indian labourers. Since then, I have become a convert, and I am now familiar with the most terrible disadvantages and hardships from which they suffer. Sufferings which will be accentuated if this House accepts a Resolution that closes all doors of enquiry and amelioration of the lot of the labourer. Sir, what does this Resolution mean? Here, we have a Member of the Government of India who not only asks this House to reject this Recommendation, but at the same time refuses to make any enquiry and submit his report within a period of four years. (*An Honourable Member*: "Shame.") Sir, I ask this House to reject this Resolution not because it emanates from Government, but because it is against the interests of the labourer in this country, interests

[Lieut.-Colonel H. A. J. Gidney.]

which this Honourable House should zealously guard and protect. Sir, it is my conviction, whether we like it or not, that whatever Government we may have in this country, labour is going to rule it and the sooner this House realises this fact and pays more attention to labour problems, the better it will be for this House and its name and for India as a whole.

Now, the question of organised institutions has been referred to by the Mover and various Provincial Governments. What do they mean by organised institutions? It is subject to multifarious interpretations, but I shall refer to one such institution which I know well, hospitals. What does the Government Member mean? Is it his view that he cannot institute an enquiry within the space of four years into the working of the few hospitals in India in some of which—and I have personal experience in this matter—the nurses are so over-worked as to be treated like pack mules? I know that a duty chart is made out, but all our larger hospitals are so under-staffed and so over-crowded with patients, that nurses are over-worked and denied adequate rest—indeed they are inhumanly treated. Surely the Honourable the Mover will not deny an enquiry into such hours of work and conditions of labour? His Resolution suggests this. I support this amendment mainly on humanitarian grounds. I support it also because it conforms with the recommendations of the International Labour Commission, and lastly, because the reasons given by the Government Member, in asking you to accept his Resolution, are I consider the weakest that he could have placed before this House. Sir, I support the amendment. (Applause.)

**Mr. Abdul Matin Chaudhury** (Assam: Muhaminadan): I want to say just a few words in support of the amendment of my Honourable friend Mr. Joshi. Time and again, on the floor of this House, we have protested against the attitude that the Government usually take up in regard to the Geneva Conventions. It has almost become a habit with the Government of India to find out some excuse or other for not ratifying particular Conventions. They treat these conventions as of very minor importance; they treat them as a nuisance. At the fag end of the Session they bring up a Resolution for the consideration of the House. Now, these Conventions are of very great importance. They are results of very careful consideration and mature deliberation by the representatives of labour, of capital and of the State of almost all the civilized countries of the world. Surely, their recommendation deserves a better and a more decent treatment at the hands of the Government of India than a mere summary rejection. This Convention lays down the lines along which efforts for the improvement of labour should be decided. The Government of India not only will not give their serious attention to this problem of the improvement of labour conditions on their own initiative, but when it is forced upon them, when an important body like the International Labour Conference have made a Recommendation after having carefully considered and examined the question in all its bearings they refuse even to consider or examine it. What is the ground on which we are asked to reject this Convention? The Honourable Mr. Shillidy, in moving the Resolution, said that, in fixing 48 hours a week, the special conditions of India were not taken into account. I entirely agree with him, but on an extremely different ground. 48 hours a week in India are more rigorous, are more fatiguing, more deleterious to the health of the labourers than 48 hours work in the West.

If the special conditions of India are taken into consideration, it ought to be 45 and not 48 hours. Then, my Honourable friend referred to the administrative difficulty, the lack of administrative machinery to carry out this recommendation. As my Honourable friend Mr. Joshi has pointed out, the difficulties have been very much exaggerated. It has come to me very much as a surprise, this confession of incompetence by Members of the Government. If the problem baffles you, if you feel that you are not competent to deal with the problem, then why not abdicate your work of administration and leave it to others who can do it better? The Honourable Member has very kindly given us an assurance that when the time will be ripe, the Government will consider the question of changing their attitude in the matter. Who is to judge when the time will be ripe? It is the Government of India, and if you are to wait for their judgment, you will have to wait till Doomsday, when the decision can be reversed. Now, if the Government fail in their sense of duty, the Assembly should not take the responsibility in this matter. The year before last when I was in Geneva, I complained about non-ratification of Conventions by the Indian Government. Mr. Clow, on behalf of the Government of India, twitted me by saying that whenever any Convention had not been ratified, it was done only with the consent of the Assembly of which Mr. Chaudhury was a Member. I hope that Honourable Members will remember this aspect of the question when they record their votes.

**Mr. Gaya Prasad Singh** (Muzaffarpur *cum* Champaran: Non-Muhammadan): Sir, I must, in the first place, register my strong feeling of protest against the action of the Government in bringing up this important matter at the fag end of the session. By doing so, the Government are not doing any justice either to the importance of the subject or to this House. It is only fair to us that this subject should have been brought up in an earlier part of the session, and if this Resolution is to be carried we on this side of the House want to warn the Government that they can carry it mostly with the vote of the official Members. Most of the Members on the non-official side will not be able to lend their support to this motion.

**Mr. A. H. Ghuznavi**: Honourable Members must be aware that this item has been on the agenda for the last ten days. It is not the fault of the Government if it comes on at the fag end of the session.

**Mr. Gaya Prasad Singh**: The regulation of the business of the House is not in my hands, and I can only say that this subject has come before the House for discussion on the last day of the session. Then, Sir, I do not know whether all papers in connection with this subject have been circulated to Honourable Members, because I find that my Honourable friend Mr. Shillidy read out certain extracts from the opinions of certain Local Governments, including the Government of my own province of Bihar and Orissa. I do not know whether these papers have been circulated to Honourable Members of the House. At least I do not remember to have received those papers and I must ask Government to circulate them beforehand. I do not know from what paper my Honourable friend Mr. Ghuznavi read, and how it came into his hands, but if it is a publication which ought to be available to this House, I want to say that the Government have been unfair in not circulating that paper also. In dealing with this subject, I do not know what part the representatives of

[Mr. Gaya Prasad Singh.]

India played in the International Labour Conference. On page 28 of the Fourteenth International Labour Conference Bulletin, we find this in the Report which was submitted by the representatives of India:

"On behalf of the Indian Government Dr. Paranjpye explained that the Indian Government delegation had taken no part in the proceedings of this committee because, in the vast territory under the control of the Government of India, that Government had no adequate knowledge of conditions of work in many different kinds of occupation covered by the Convention, and that there would be innumerable difficulties in applying such a convention to a country like India."

I do not know whether it was with a blush of shame that Dr. Paranjpye made that statement in the Conference. In the first place I object that our representatives should have taken no part in the discussion of this important subject. In the second place I am astounded at the expression of ignorance which is attributed to the Government about the conditions of work in this country which they have been ruling for more than 150 years. In this paragraph it is stated that Government had no adequate knowledge of conditions of work in many different kinds of occupation covered by the Convention. This is a state of affairs which is lamentable, and I do not know if after 150 years of British rule they have not been able to find out the exact conditions of things in India; what amount of time will be needed for them to acquire the necessary knowledge? The proposals may be divided roughly into two parts. Article I asks us to ratify certain proposals contained in the draft Convention. Article I says that this Convention shall apply to persons employed in the following establishments, whether public or private (a) commercial or trading establishments, including postal, telegraph and telephone services, and commercial or trading branches of any establishments, (b) establishments and administrative services in which the persons employed are mainly engaged in office work; (c) mixed commercial and industrial establishments unless they are deemed to be industrial establishments. Now, Sir, the Convention excludes certain branches from its purview; and in Part II it is stated that the Convention shall not apply to persons employed in the following establishments: (a) establishments for the treatment or the care of the sick, infirm, destitute, or mentally unfit; (b) hospitals, restaurants, boarding houses, clubs, cafes, and so on. There are certain recommendations or conventions which we are asked to ratify. There are certain others in relation to which we are asked to make an inquiry during a period of four years; and I do not know why the Government are nervous in making an inquiry during this long time. 8 hours a day or 48 hours a week mentioned in Article III of this Convention seems to be a reasonable proposal, and speaking generally I do not know why Government should have any objection to it.

**Mr. K. Ahmed:** You can move an amendment for postponement.

**Mr. Gaya Prasad Singh:** I therefore strongly support the amendment made by my Honourable friend Mr. Joshi. If that amendment fails, or if it suits the House, I am willing to move another amendment with your permission that the consideration of the subject may be adjourned till the Simla session.

**Mr. President:** I should like to ask the Honourable Member (Mr. Gaya Prasad Singh) whether he wishes to move that the consideration of this subject be postponed to the Simla session.

**Mr. Gaya Prasad Singh:** I do move, Sir.

**Mr. President:** You are perfectly entitled to do so. The amendment proposed is:

"That the consideration of this motion and the amendment thereon be postponed till the Simla session."

**Mr. C. S. Ranga Iyer** (Rohilkund and Kumaon Divisions; Non-Muhammadan Rural): I rise to support the amendment proposed by Mr. Gaya Prasad Singh that this discussion be adjourned to the Simla session. I hope, Sir, the Honourable Mr. Shillidy has very closely followed the observations that have fallen not only from this side of the House but also from the other side about the manner in which at the fag end of a rather weary session a very important question of this kind is being rushed in what I do not like describing as indecent haste. Sir, in a country like India, where inadequate opinion on this subject has been in existence, it is but proper that the public should have an opportunity of expressing themselves. The Honourable Member has already read out to us certain quotations covering the opinions of Local Governments. Those opinions happen to be the exclusive monopoly at this time of the Honourable Member in charge or of those who happen to enjoy his confidence on the other side of the House. (Hear, hear.) I do not think, Sir, these opinions were even within the knowledge of my esteemed friend, Mr. Joshi, who is better informed in this matter than many an Honourable Member on this side of the House. (Hear, hear.) When such opinions are quoted without our having the opportunity to know all the opinions that all the Local Governments have expressed in the matter, it is but fair and proper that the Honourable Member should agree to withdraw the motion now or agree to bring it forward at the Simla session. I hope the Honourable the Leader of the House, who has been anxious, so far as I can judge, to meet reasonable suggestions from this side of the House in a reasonable way, will make up his mind to accept this amendment and will see to it that it is brought forward after the country has had the opportunity of knowing and discussing the implications of the acceptance of the Honourable Member's motion.

**Diwan Bahadur A. Ramaswami Mudaliar:** Sir, I should appeal very strongly to the Government to consent to this adjournment motion. I find, Sir, that while they have made up their mind about the draft Convention, there is no reason at all why they should make up their mind in such a hurry as regards the Recommendations. That requires further consideration, and at least an investigation which I understand other Governments are prepared to make in this connection. I find another country very similarly placed to our own country, namely, Japan, has not taken up this attitude of rejecting these Recommendations summarily. I should like to quote, for the



[Diwan Bahadur A. Ramaswami Mudaliar.]

information of my Honourable friend—I dare say he has already read it—the remarks of the Japanese Government delegate. He says:

“The case is somewhat different with the small shops situated along the streets which are crowded at night and which consequently do a good deal of business till late hours and as regards the public barber shops and the like in which the hours of work are long owing to the peculiar habits of the clientele.”

It is a serious question how far . . . . .

**Mr. President:** May I ask the Honourable Member not to go into the merits of the question now, but to give his reasons why the subject should not be discussed now and why its consideration should be postponed till the Simla session.

**Diwan Bahadur A. Ramaswami Mudaliar:** I was only pointing out, Sir, that the Japanese Government have promised that a thorough investigation into all these matters will be made, and I suggest our Government should not be behind the Japanese Government in the matter, and therefore I suggest that this Resolution be postponed to the Simla session so that the Government may come forward with proposals which have received greater consideration at their hands and submit them to this House.

**The Honourable Sir Joseph Bhore** (Member for Industries and Labour) Sir, if it is the general consensus of opinion in this House that there should be an adjournment of the discussion, the Government will of course have to agree; but personally I should like to say, Sir, that I do not think anything will be gained by postponing the discussion of this motion for another six months, and personally, I should very much like to continue the discussion; but I must place myself in the hands of the House in this matter and accept its verdict.

**Maulvi Muhammad Yakub:** Sir, I do not think we would be justified in moving this amendment that the consideration of this Resolution should be postponed.

**Mr. President:** It has been moved. (Laughter.)

**Maulvi Muhammad Yakub:** I rise to oppose the motion, Sir, which has been moved by my Honourable friend, Mr. Gaya Prasad Singh. The thing is this. Some day must always be the fag end of the session, but work must be transacted on that day. I think, Sir, that all the work which we transact in this Assembly is important work, and therefore it can always be said, “Do not bring this work today because today is the fag end of the session”. Well, it is the lookout of Honourable Members of this House, if they want to perform their duty, as the representatives of the country, to stay in Delhi as long as the session is going on. When, Sir, the new constitution comes into operation and when we get more Members in the House, and when we shall have more subjects to deal with, I think we will then have to sit for, probably, nine months in the year,—and therefore it is not right to say that the Members have left. I think it is their lookout if they leave; for important work—and no work can be considered as unimportant if it has been placed on the agenda of the last day—must be transacted. Therefore, Sir, I oppose this motion for adjournment.

**Mr. President:** The question is:

"That the consideration of this motion be postponed to the Simla session."

The Assembly divided:

AYES—28.

Abdul Matin Chaudhury, Mr.  
Ahmed, Mr. K.  
Anwar-ul-Azim, Mr. Muhammad.  
Azhar Ali, Mr. Muhammad.  
Bhuput Singh, Mr.  
Biswas, Mr. C. C.  
Chandji Mal Gola, Bhagat.  
Das, Mr. A.  
Dutt, Mr. Amar Nath.  
Gidney, Lieut. Colonel H. A. J.  
Gunjal, Mr. N. R.  
Jog, Mr. S. G.  
Joshi, Mr. N. M.  
Kyaw Myint, U.  
Lahiri Chaudhury, Mr. D. K.

Mudaliar, Diwan Bahadur A.  
Ramaswami.  
Munshi, Mr. Jehangir K.  
Murtuza Saheb Bahadur, Maulvi  
Sayyid.  
Parmanand Devta Sarup, Bhai.  
Rajan Bakhsh Shah, Khan Bahadur  
Makhdum Sayed.  
Ranga Iyer, Mr. C. S.  
Reddi, Mr. P. G.  
Reddi, Mr. T. N. Ramakrishna.  
Sarda, Rai Sahib Harbilas.  
Scott, Mr. J. Ramsay.  
Singh, Mr. Gaya Prasad.  
Thampan, Mr. K. P.  
Uppi Saheb Bahadur, Mr.

NOES—16.

Chatterjee, The Revd. J. C.  
Ghuznavi, Mr. A. H.  
Ismail Ali Khan, Kunwar Hajee.  
Ismail Khan, Haji Chaudhury  
Muhammad.  
Jawahar Singh, Sardar Bahadur Sirdar  
Krishnamachariar, Raja Bahadur G.  
Pandit, Rao Bahadur S. R.  
Sarma, Mr. R. S.

Shah Nawaz, Mian Muhammad.  
Suhrawardy, Dr. A.  
Sykes, Mr. E. F.  
Talib Mehdi Khan, Nawab Major  
Malik.  
Wajihuddin, Khan Bahadur Haji.  
Yakub, Maulvi Muhammad.  
Yamin Khan, Mr. Muhammad.  
Ziauddin Ahmad, Dr.

The motion was adopted.

**Mr. President:** The consideration of the Resolution and the amendment, therefore, stands adjourned to the Simla session.

## RESOLUTION *RE* DISTRIBUTION OF THE PROCEEDS OF THE DUTY ON FOREIGN SALT.

**The Honourable Sir George Schuster** (Finance Member): Sir, I move the following Resolution:

"This Assembly recommends to the Governor General in Council that, in the event of the Bill to impose a temporary additional duty of customs on foreign salt becoming law, the proceeds of the additional duty, after deducting such amounts (not exceeding one-eighth of the whole) as may be required for disbursement by the Governor General in Council for the development of certain Northern India Salt Sources in the manner recommended by the Salt Survey Committee and for the investigation of the possibility of the development of other sources in India for the supply of salt to those areas which at present consume imported salt, shall be distributed to the Governments of those provinces in which salt liable to the additional duty is consumed; and that this apportionment shall be conducted by the Governor General in Council in accordance with his decision as to the extent to which the burden of the additional duty falls upon consumers in the various provinces mentioned; and this Assembly further recommends that the attention of the Provincial Governments who may receive a portion of the revenue which is to be distributed should be called to the views expressed in this Assembly as to the desirability of applying such revenue in certain ways and in particular to the development of salt production where economically feasible within their own provinces."

[Sir George Schuster.]

Sir, the House is well aware of the circumstances in which this Resolution is moved. The desire was expressed that this Resolution should be put before the House before the end of this session and I have, therefore, brought it forward today and must explain that we have purposely left part of the Resolution in very general terms. It had been our intention to bring this Resolution forward at the Simla session, and we had intended during the interval to work out in detail a scheme for the distribution of the proceeds of this duty. As, however, Honourable Members of this House wished to have the Resolution before them at once, we have had to be content with leaving the distribution of the duty to the discretion of the Governor General in Council. On the other hand, I think it is possible to explain very clearly the principle on which we intend that this distribution should be made. I gather from the fact that my Honourable friend Mr. Morgan has put down an amendment to this Resolution that he felt that there was some ambiguity particularly in the words:

"the apportionment shall be conducted by the Governor General in Council in accordance with his decision as to the extent to which the burden of the additional duty falls upon consumers in the various provinces mentioned."

What we have in mind there is that the criterion for deciding what the share of the various provinces should be should really be the amount of salt imported either from foreign sources or from Aden which is consumed in those provinces. It is to be based on consumption. My Honourable friend has suggested that the population basis should be applied. I am, I confess, little surprised to see that suggestion coming from an Honourable Member representing Bengal. If the amendment had been moved by my Honourable friend Mr. B. Das or by my Honourable friend Mr. Gaya Prasad Singh, I should have been less surprised because, I think, that Bengal would stand to lose by adopting the population basis, whereas Bihar and Orissa would stand to gain.

**Mr. Gaya Prasad Singh** (Muzaffarpur *cum* Champaran: Non-Muhammadan): We will support that amendment if it is moved.

**The Honourable Sir George Schuster:** As a matter of fact, as far as I have been able to make out, there is actually very little difference as between the two bases. But we would much prefer to leave the Resolution in the terms in which it has now been drafted so that we might have the opportunity to investigate exactly what are the facts. I am perfectly prepared to give an undertaking to the House that, if they so desire, we will give them another opportunity in Simla to consider the basis of distribution, and I would venture to ask my Honourable friends who have put down the amendments to consider the matter on that basis and to allow the Resolution to stand in its existing form for the present.

I have only one other remark to make and that refers to the last lines of the Resolution. In those last lines the Assembly, if they pass the Resolution, would recommend to the Governor General in Council that he should call "the attention of the Provincial Governments concerned to the desirability of applying the revenue in certain ways and in particular to the development of salt production where economically feasible within their own provinces". I should just like to call the attention of the House to the fact that out of one-eighth or rather out of the sum

which we propose to reserve for carrying out certain measures for which we have set a maximum limit of one-eighth, out of that sum, it would be our intention to spend some money on the purposes referred to in the last words of the Resolution as drafted. That, of course, would not preclude the provinces concerned from taking their own measures, but I would be inclined to think that in the first place suitable measures would be measures rather of investigation than of development, and we had intended out of that sum ourselves to conduct investigations in the Eastern parts of India.

Sir, I have nothing more to say, and I do not wish to take up the time of the House now. I think the matter dealt with in this Resolution has the support of the whole House.

Sir, I move.

**Sir Hugh Cocke** (Bombay: European): In view of the statement made by the Honourable the Finance Member that this House will have an opportunity of considering again the question of the apportionment of this duty, I do not wish to move my amendment\*. But I should like to know from him how he proposes to get at consumption figures. The only reason this amendment was put in was because it appeared to us to be the only possible basis to work on and not because it is necessarily fair or unfair to Bengal. It appeared to us, from the knowledge available to us, that it was not possible to work on a consumption basis. I should just like to know if Government consider they have the materials available to work on such a basis.

**The Honourable Sir George Schuster:** In reply to my Honourable friend I would say that we have certain information as to where this sea-borne salt goes to, but whether it will be possible to obtain exact statistics, sufficiently exact to satisfy us so as to provide a basis for distribution, I am not yet prepared to say. That is one of the reasons why we did not wish to specify the exact basis, without going into the matter in very much greater detail. I can only say that that was our idea of what would form the fairest basis for distribution. We know, as a matter of fact, roughly speaking, what percentage of salt goes to the Provinces of Bengal, Assam, Bihar and Orissa, and the Tariff Board themselves have given us some information on that point. We know also, as a matter of fact, that a small portion of this imported salt actually goes to the United Provinces, so that they may also have a small claim. I just mention that fact as being one of the reasons why it would be particularly undesirable to introduce a population basis. If it was done on a population basis, the United Provinces could establish a claim, and if they took only, say, one or two per cent. of the production, they would get a very unfair share of the duty. I can assure my Honourable friend that unless we can satisfy ourselves that we have

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\*"That for the words 'and that this apportionment shall be conducted by the Governor General in Council in accordance with his decision as to the extent to which the burden of the additional duty falls upon consumers in the various provinces mentioned' the following be substituted :

'and that this apportionment shall be made on the basis of population figures as shown by the Census Report 1931, for each province mentioned and that the refund of duty to the various provinces be made quarterly.'

[Sir George Schuster.]

pretty accurate information, we shall have to try and take some other basis of distribution. I think, however, we shall be able to satisfy the House that we can propose a fair basis of distribution.

**Mr. President:** The question is:

"This Assembly recommends to the Governor General in Council that, in the event of the Bill to impose a temporary additional duty of customs on foreign salt becoming law, the proceeds of the additional duty, after deducting such amounts (not exceeding one-eighth of the whole) as may be required for disbursement by the Governor General in Council for the development of certain Northern India Salt Sources in the manner recommended by the Salt Survey Committee and for the investigation of the possibility of the development of other sources in India for the supply of salt to those areas which at present consume imported salt, shall be distributed to the Governments of those Provinces in which salt liable to the additional duty is consumed; and that this apportionment shall be conducted by the Governor General in Council in accordance with his decision as to the extent to which the burden of the additional duty falls upon consumers in the various provinces mentioned; and this Assembly further recommends that the attention of the Provincial Governments who may receive a portion of the revenue which is to be distributed should be called to the views expressed in this Assembly as to the desirability of applying such revenue in certain ways and feasible within their own Provinces."

The motion was adopted.

## RESOLUTION *RE* APPOINTMENT OF AN ADVISORY COMMITTEE ON RETRENCHMENT.

**The Honourable Sir George Schuster** (Finance Member). Sir, I beg to move:

"This Assembly recommends to the Governor General in Council the appointment of an advisory committee, to be nominated by the Governor General, composed of non-official members of the Assembly, non-official members of the Council of State, and 2 officials, to consult with and advise the Government as to the personnel of the Retrenchment Committee or Committees to be appointed, as to the methods to be followed in the conduct of the retrenchment inquiries to be pursued by such Committee or Committees and as to the scope and purpose of each line of inquiry."

Sir, the business dealt with in this Resolution is important business, and, in spite of what has fallen from my Honourable friend Maulvi Muhammad Yakub, with whose words, as a matter of fact, I entirely agree, in spite of what he said, I think it is regrettable that this business should come up at the fog end of the session. But, Sir, in this matter I think the Government may say that they are not to blame. I do not wish to commit any breach of confidence, and, in saying what I am going to say, I do not wish to make any criticism of anybody, because I fully realise the difficulties that all who are concerned in this matter have been labouring under, but I must inform the House that it was only late yesterday evening or afternoon that I finally got the information—which I was extremely glad to get—that the Members of the two largest unofficial parties in this House were prepared to act with us in this matter. That, Sir, is my reason for the delay in bringing this business forward. It is regrettable really for a special reason. It had been my hope and my desire that we could have carried out certain discussions on this business before Honourable Members separated at the end of the session. Now, I am afraid that such discussion will be impossible. I

should like to explain to the House, the course which we propose to follow in this matter. Honourable Members will recollect that my original proposal was that a Retrenchment Committee of the Legislative Assembly should be set up, a small Committee to consist of five non-official Members and two officials. That proposal did not appeal to the general sense of the House and I had a series of discussions with Leaders of various parties on the matter. As a result of these discussions we were able to come to a complete agreement as to what would be the best line to follow. There was general agreement that if retrenchment inquiries are to be properly carried out, it is necessary to divide the field of inquiry into certain well-defined parts, and to settle separate procedure for dealing with each part. The general feeling was that each part of the field of inquiry should be investigated by an appropriate committee, that those committees should be very small committees; that they should be strong on the expert side and that if the Assembly were to be associated at all in these inquiries it would probably best take the form of perhaps one or two Members of the Assembly being associated with each committee. The larger advisory committee, for the appointment of which I have moved the Resolution just now, is really intended to be representative of this House and to provide us in the Government with a convenient method of access to representative Members of this House, so that we can discuss with them the constitution of the small committees that are to be set up and keep them throughout in touch with the line of inquiry which we are pursuing. Speaking from my own side, my chief object is to satisfy the representatives of this House at all stages that we mean business in this matter of retrenchment, and that we are prepared to give them the fullest opportunity of studying the situation with us, and that we are also prepared to listen to their recommendations on all parts of the subject.

Sir, I think it would be as well if at this stage I gave to this House the names of the Members who we intend shall be nominated to serve on this Committee. The list is a long one and in that connection I should like to make one or two remarks which I hope Honourable Members will not take amiss from me. I am sure that it would be the desire of all who have anything to do with this Committee that the Committee itself should set a good example in the way of economy, and as it is necessary now that our first meeting should take place in Simla, and as that involves a long and expensive journey for a great number of Members who find places on this list which I am going to read, I venture to suggest for the consideration of the parties concerned that for that meeting at Simla it would be sufficient if one or two representatives from each party attended. I daresay that will be also to the convenience of the members of the Committee, because I can hardly imagine that there are many who would like to go to Simla just for one or two days' meeting, and I do not think that at that stage it will be necessary to have a meeting extending over more than possibly two days. On the other hand, while I have said, in a manner which may have sounded rather discourteous, that I hope everybody will not come. I certainly hope that some of the members will come, because I think it is very important that we should have a discussion as early as possible in which we on the Government side will be able to discuss the position with the representatives of this House. What I had intended to do was, as soon

[Sir George Schuster.]

as the session was over, to get down to the preparation of a detailed plan, to have all that ready as soon as it was possible to get it out, then circulate it to members of this Committee within the course of the next ten days and invite their comments on our proposals. I think that a good deal of the consultation between us and the members of the Committee can be carried out by correspondence; but it will certainly be desirable that some of the members at least should meet and confer personally with us. I had in mind that we might meet in Simla early in May; and I should like to inform the House of one factor which is in my mind in that connection, and that is that, as I have already explained to the House on several occasions, we intend to hold a conference of provincial representatives to consider the whole question of conditions of service, and it might be advantageous if the representatives of this Committee were present in Simla at the same time as the provincial representatives. There might then be some useful exchanges of view. I merely mention that fact. The dates are not yet certain, but I propose to keep in touch with all those who are serving on this Assembly Committee, and I should imagine that the date would be somewhere about the 7th to the 10th May.

That, Sir, I think sufficiently explains the present position. The list of the proposed members of this Committee from the Legislative Assembly is as follows: first, the Deputy President; then, as representatives of the Nationalist Party, Diwan Bahadur Rangachariar, Mr. K. C. Neogy, Mr. B. Das, Rai Sahib Harbilas Sarda and Mr. Amar Nath Dutt; as representatives of the Independent Party, Sir Abdur Rahim, Diwan Bahadur A. Ramaswami Mudaliar, Sir Cowasji Jehangir. Dr. Ziauddin Ahmad and Mr. S. C. Mitra; as representatives of the European Party, Sir Hugh Cocke and Mr. L. V. Heathcote. But I must at this stage say that I understand from Sir Hugh Cocke that he may not himself be able to serve, so that it may be that we shall substitute another name in his place. Then, as representative of his own party, Mr. Yamin Khan, and as representatives of unattached Members, Maulvi Muhammad Yakub, Mr. A. H. Ghuznavi, Mr. K. C. Roy and Mr. N. M. Joshi. That represents the list of Members from this Assembly. We hope that three or perhaps four Members of the Council of State will also serve on this Committee.

Sir, I think that sufficiently explains the position and I move the Resolution.

**Mr. C. S. Ranga Iyer** (Rohilkund and Kumaon Divisions: Non-Muhammadian Rural): Sir, the Honourable the Finance Member's speech reminds me of a very popular saying in England, "Knowledge comes but wisdom lingers". Sir, I think both sides of the House did not perhaps know each other so well. They began to know each other and now have become wiser. I do not say that only the Finance Member has been wiser, because he knew better. I think this side of the House also knew better and therefore became wiser. This takes me to the observation that the Finance Member made on the 6th March in this House about this Retrenchment Committee. I will first go to February 28th before I come to 6th March.

In his speech, a speech on which I had not so far commented, at any rate inside this House, a magnificent speech noted for its clarity and frankness, he said:

"I recognise that Honourable Members may legitimately demand some means of satisfying themselves as to the possibility of still further and more permanent economies in expenditure."

Speaking on the 6th March, he said:

"Having said that, I should like to say one thing more, and that is we are only making a suggestion in order to satisfy Honourable Members opposite, for as far as I am concerned and as far as my conscience goes, I am satisfied that, barring possibly a few details here and there, there is not a large field for retrenchment in the Central Government's services just at the present, I mean, for retrenchment in the form of eliminating waste, because just at present the machine of Government has got to perform a double task."

He also said in that speech about questions of policy which at the present juncture it will not do for him or the members of that Committee to raise beyond a particular extent. He also spoke then of the limitations of that Retrenchment Committee when he said:

"All we want to do is to follow this matter up, so far as we can at present, and to convince the representatives of the public that we are doing our best and we have not got any opportunities which we have left out untried."

Therefore so far as what the Finance Member said in the past about this Retrenchment Committee goes this Committee will give opportunities to members who are on that Committee and to the House later on, when they report to this House—and this House I believe is the final authority so far as this matter is concerned—opportunities as to how far the Finance Member has been able to retrench. I see now that the scope of this Committee appears to have been to some extent extended in the shape of an advisory committee of five, who ought to consult and advise Government, not only as to the personnel of the Retrenchment Committee or Committees to be appointed but also as to the methods to be followed in the conduct of the retrenchment inquiries to be pursued by such Committee or Committees and as to the scope and purpose of each line of inquiry. "The scope and purpose of each line of inquiry" is a fascinating phrase in this Resolution, which alone reconciles me to this Retrenchment Committee; and not being one who either publicly or privately aspired for a place on this Committee, I can speak with a certain amount of candour. I never anticipate the actual reports or the actual calamity for the matter of that; for there is an old saying that the actual experience of a calamity is less fearful than a prospective view of it. Even so, the actual knowledge of the recommendations of the Retrenchment Committee may be perhaps more disappointing to those who have got too many expectations, in view of what the Finance Member has truly stated. No retrenchment committee can work and bring about the result required if they do not work at least under the same conditions under which the Incheape Committee worked. The scope and line of inquiry is left to the Five Members of this Advisory Committee, and I do hope and trust that



[Mr. C. S. Ranga Iyer.]

they will see to it that the terms of inquiry of the Retrenchment Committee will be on these lines:

“To make recommendations to the Government of India for effecting forthwith all possible reductions in the expenditure of the Central Government having regard especially to the present financial position and outlook. In so far as questions of policy are involved in that expenditure under discussion, these will be left for the exclusive consideration of the Government, but it will be open to the Committee to review the expenditure and to indicate economies which might be effected if particular policies were either adopted, abandoned or modified.”

I do hope that this Committee consisting, as it does of very representative men from this House, and very able men like my friend, Mr. S. C. Mitra on my left, and Rai Sahib Harbilas Sarda on my right, Diwan Bahadur Mudaliar on my left and my friend Mr. B. Das behind me, as also distinguished men like Diwan Bahadur Rangachariar and others, I do think this representative Committee, which consists of able and hard-working and earnest men, will be able not only to go into these things that I have just mentioned, but also go into the various aspects of the question connected with the various departments, for instance, the military services, the railways, the general administration, civil administrative departments, the Political Department, the revenue collecting services, other departments and services, expenditure in the minor administrations, pay and allowances and so on and so forth. Sir, I make this suggestion very earnestly because this House and the Finance Member must be aware that ideas of retrenchment are not only brooding over anxious Members of this House, but also over political leaders of great reputation and influence outside. For it is this morning that we read the resolution passed at that big meeting in Karachi of the Indian National Congress and the proposals made by that greatest man in India today, and perhaps the greatest living man in the world, Mahatma Gandhi; and he said in his recommendations that the military expenditure should be reduced to one-half of what it is now; and he spoke among other things of the reduction of the salaries of officials, and salaries of over Rs. 500 only to specialists. I am only mentioning that those ideas of retrenchment are given expression to by prominent public men and very likely from these expressions of opinion we may gather that the future attack is going to be on the extravagance of administration. Therefore, bearing this in mind, I hope and trust the Finance Member will give adequate opportunity to this Retrenchment Committee to go as far as possible, not only in regard to matters which he mentioned in his Budget speech, but also into matters regarding policy, including military policy, so that even though they may not have the right of carrying those recommendations through this House in this transitional stage, they will at least have an opportunity of helping the country with their opinions and helping this House with their opinions to form certain conclusions which may lie half-way between the extremist opinion in the country and the extremely moderate opinion perhaps in this House. With these observations I support the Finance Member's motion.

**Rai Sahib Harbilas Sarda** (Ajmer-Merwara: General): Sir, I hope the Government in making this motion mean business. I trust that it is the

earnest desire of Government to make a genuine effort and a comprehensive effort to reduce its expenditure. Government are fully aware that the whole country demands with one voice that its expenditure shall be retrenched. From one end of the country to the other the cry has gone forth that in order to balance the Budget, Government should not levy fresh taxation, but reduce their expenditure. How far the country's demands have been met will appear from the decisions of the Legislative Assembly on the Budget Demands and the provisions of the Finance Bill. Sir, when the Honourable the Finance Member first mooted this question of a Retrenchment Committee, many Members thought that the object of Government in making that proposal was really to take the wind out of the sails of opposition speakers who were bent upon subjecting the provisions of the Budget and the Finance Bill to a very close examination, in fact they wanted to go further and dissect them item by item. Now that both the Budget and the Finance Bill have been passed and Government are still anxious to appoint a Retrenchment Committee, we must take it that it is their earnest desire to make a determined effort to find all avenues of retrenchment in all departments, both civil and military, and to see that full scope is given to people investigating the matter to find out such avenues.

The second point, which I wish to press on the Government and which the Honourable the Finance Member has himself spoken about, is that as this is a retrenchment committee or an advisory committee and is going to advise the Government as to how to go about the question of retrenchment, I hope Government will see that this Committee works as economically as possible . . . .

**Mr. K. Ahmed** (Rajshahi Division: Muhammadan Rural): You will also be there on the Committee.

**Rai Sahib Harbilas Sarda:** Let the Members show by their work that it is possible to do important work with as little expenditure as possible. I should myself prefer that Members should work without any large subsistence allowance, in fact they should do honorary work, and they should merely be re-imbursed so far as their out of pocket expenses are concerned. Sir, charity begins at home, and let this Committee show by retrenching its expenses.

**Mr. K. Ahmed:** Example is better than precept.

**Rai Sahib Harbilas Sarda:** That it is animated by the same spirit which should inspire the work of all retrenchment committees.

**Mr. R. S. Sarma** (Nominated Non-Official): I am afraid, Sir, I must oppose this Resolution. (Hear, hear.) Had this Resolution not been put on the Agenda Paper by so earnest and serious-minded a man as Sir George Schuster, or had it been put on the paper instead by a man like my friend, Mr. Kabiruddin Ahmed, I would have certainly treated this Resolution, on seeing it this day, as an attempt to mark the characteristics with which tradition and custom surround the 1st of April . . . .

**Mr. K. Ahmed:** I would have included your name first.

**Mr. R. S. Sarma:** Lest there be any misunderstanding about that, I may say at once that I am about to leave this country for Europe in a fortnight's time. I have not sent in any application to be included on the Committee, as probably, without divulging any confidence, if I may say, some Members of the Nationalist Party have made applications to Members of Government . . .

**Mr. K. Ahmed:** You have no chance to come back.

**Mr. R. S. Sarma:** Sir, in the first place, when I read this long Resolution, I was reminded of a very popular and famous song which I have often heard after dinner in England—"I dreamt that you had dreamt about me and that I had dreamt about you, and a dream within a dream". This Resolution sounds something like that. This Assembly is appointing a committee for the purpose of appointing another committee,—a committee within a committee,—it is something like that famous song. Sir, the circumstances under which the whole Committee was appointed do not appeal to me at all. The opposition to the appointment of a Retrenchment Committee came first from the Opposition Members as soon as this generous offer of a Retrenchment Committee was made by the Finance Member during the Budget debate. Their subsequent inclination to accept this Committee again reminds me of that lady in "Don Juan" who whispering "I will never consent"—consented!! In the same way our Nationalist friends consented to the appointment of a Committee later on. Sir, the way in which the Members of the Nationalist Party decided perhaps in their party meeting, that the Retrenchment Committee should be boycotted, and lastly the way in which they have given a long list of names, all these will unfortunately create an impression in the country, that this Retrenchment—I will not call it Retrenchment Committee,—but I will call it a Retrenchment Crowd . . .

**Mr. C. S. Ranga Iyer:** Did the Honourable Member say Retrenchment Circus?

**Mr. R. S. Sarma:** I said Retrenchment Crowd,—this formation of a huge committee will create the impression that party leaders are anxious more to satisfy personal and private ambitions and that it is intended more as a sop to party cliques than as a serious attempt to solve the real problem. That is my objection, Sir, to the appointment of this Committee.

**Mr. K. Ahmed:** If your name is included in the list, will that satisfy you?

**Mr. S. G. Jog** (Berar Representative): Sir, I think there is much sense in what my Honourable friend has just said. I really cannot understand the purpose of setting up this preliminary committee for the purpose of appointing another committee. Instead of doing this, I think the question should have been brought forward before the House straightaway for appointing a committee so that it might proceed to the work of retrenchment without further delay. Instead of doing that, I cannot understand why this dilatory procedure of a preliminary committee has been adopted because this procedure is a bit expensive too.

As regards the secrets given out by my friend, I do not know how he got all those secrets, but he must know that circumstances often change,

and the decisions have got to be reconsidered and as circumstances arose, our party had to reconsider its previous decisions, and speaking with all the responsibility that is to fall on our shoulders in the future Government, I think I am quite in favour of this Committee. Whether any allowance is given to us or not, it matters little, but none of us should shirk our responsibility of working on the Retrenchment Committee and of knowing all the facts concerning all the departments under the Government of India. At the same time, I must warn the Government that Members of the Committee must be given all possible facilities and every access to every paper in every department. It is only then that the work of the Committee will be facilitated, it is only then that the Committee will be able to turn out some good work; otherwise, if it is to follow suit of its predecessors, I think it will do no good. So I am in favour of the Retrenchment Committee but as I said, it should have very wide powers and all facilities should be given to it. With this request I support the motion.

**Mr. N. R. Gunjal** (Bombay Central Division: Non-Muhammadan Rural): (Speaking in Hindustani).

Sir, I rise to oppose the Resolution, moved by the Honourable Sir George Schuster, the Finance Member, in connection with the appointment of an Advisory Committee to be nominated by H. E. the Governor General, composed of non-official Members of the Assembly and non-official Members of the Council of State and two officials, to consult with, and advise, the Government as to the personnel of the Retrenchment Committee or Committees to be appointed as to the methods to be followed in the conduct of retrenchment inquiries to be pursued by such Committee or Committees, and as to the scope and purpose of each line of enquiry. My reason, in opposing this Resolution, is that the actual retrenchment work will never be carried out by such Advisory Committees. I wonder, the Leaders of the Nationalist and Independent Parties should agree to co-operate with the Government in this matter. I wonder, the Nationalist, once professing to non-co-operate, are now prepared to sit in the Committees. Considering the past behaviour of this party in this House, it is evident that they opposed the taxations and other grave measures and gave defeats to the Government with the aid of other parties, and it is not now proper that the Leader of the Nationalist Party should come forward and accept the proposals of the Government. This is against the real spirit of the Nationalists and surely the people will wonder at their behaviour.

Sir, in all Provincial Legislative Councils in India, the Leader, the Secretary, the Whip and other responsible office bearers of the party do not sit on any Committee, and, in case, they desire to work on a Committee, they have to resign the office, and then they are permitted to serve on Committees. From the very beginning I have been working with the Nationalist Party of this Assembly. I was labouring under the impression that the Nationalist Party of the Legislative Assembly was more responsible to the people, was more attentive to look to the benefits of the public, and was more systematic than the parties in the Provincial Legislative Councils. But, those impressions are now removed.

[Mr. N. R. Gunjal.]

Here, Sir, I find that ten or twelve men form a group and call it a party, and that whenever sub-committees are formed, the Leaders are pushed in, and ordinary Members, who are desirous of working on sub-committees, are obstructed. Only certain persons are selected giving room to partiality and self-interest. Not only that, but such parties have had no true interest at heart of the public; the public considerations are set aside and personal considerations and personal interests find the first place on every occasion. I find myself in a very difficult position now to work, though I follow the creed of the party in the best spirit and try to represent the interests of my constituency. There are several instances of party disorders and such disorders lead to indifference. The work of the Bureaucracy becomes easier and they attach no importance to such party or group. Really speaking, the Nationalist Party in the Assembly should have the best interests of India at heart. It is the most responsible party in the Assembly and it should not be led away by the Bureaucracy. The Nationalists, if they at all were the members of the Opposition, could not certainly agree to sit on the Retrenchment Advisory Committee or Committees and devise means for cutting down the pay of Indians. This is a derogatory position. There had been several Retrenchment Committees appointed in the past, and their recommendations, if carefully pursued, were nothing but reductions of Indians everywhere.

Sir, I earnestly appeal to the Nationalists and request them that they should not agree to work on such Committees. There is a lot of misunderstanding about this party in the public mind, when they kept aloof about the taxation of kerosene oil. I had been at Poona and was not present in this House at that time to request the Leader of the Party. Had I been here, I would have asked the party leader to side with the public and consider the needs of the poor people. During the period of this session, the Nationalist Party has perfectly maintained its reputation. The Independent Party joined and helped that party. Nationalists should be true to the nation, should follow the creed and do all sincere work. If this is not done, people will think that this is not a true Nationalist Party. It is an imitation party and they will be right in arriving at that conclusion and nobody will blame them for it.

Sir, it is a difficult matter altogether, if these people are desirous to go to the cold climate of Simla and to enjoy life there and help and advise to cut the services of Indians by being members of the Retrenchment Committees. The Opposition Benches have got clever people. The Bureaucracy of India is also a political class of people. This fact should not be lost sight of. Any party, and particularly the Nationalist Party, should not fall a victim to their inducements. They should mind the work of the people whom they represent and who elected them to this House and sent them here to work for the good of India and the Indian people. The real object lies in doing real good to the people of India.

With these words, Sir, I strongly oppose the idea of the Nationalists joining these Committees.

**Raja Bahadur G. Krishnamachariar** (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): Sir, I oppose this motion for this reason that we do

not want a committee of this type. Surely, the combined intelligence of the Government of India can manufacture half a dozen men out of this Assembly and can give their names and say that they have formed them into a retrenchment committee. When they appointed the Inchcape Committee, they never adopted this procedure. They have appointed numerous committees, but they have never followed any such procedure as is proposed now. When they wanted to appoint a Retrenchment Committee, there was a little bit of commotion. I do not know if it is a party secret and if it is betraying it, but since it has come out, let me say that there has been a strong feeling, and the great thumping of the tables which we have just witnessed had something to do with it. It was said that they were going to boycott the Committee, and were going to put the Government to all sorts of penalties and calamities in the world. That sort of fury went on for a few days, and then it died out, just as the dust storm died out towards the evening the other day. As my Honourable friend Mr. Gunjal has said, the Government have put out this net and asked these gentlemen to walk into the parlour slowly one by one,—one, two, three, four, five. I have no objection to these people going in. But I would respectfully submit that in a matter of this sort even the offchance of a nominated Member serving on a Committee which Government propose to appoint for the purpose of examining the possibilities of retrenchment—that itself creates a suspicion. This House is large enough, intelligent enough and I hope representative enough to select from among its Members a dozen men or more who are acquainted with the details of finance. I am not talking of people who are able to paraphrase the speeches of previous speakers and repeat what has been said over and over again. I think that really honest, straightforward and sufficiently solid men, at least six of them, can be elected by this Assembly and if they came to the same conclusion as my Honourable friend the Finance Member that there was not much scope for retrenchment in the finances of the Government of India, then the country would have had some confidence in their report. As it is, I respectfully submit that it is not a committee which will command the confidence of the country. I do not know what the Parliamentary procedure is. I am not acquainted with these things and if I make a mistake, I ask to be excused. I suppose in Parliament the important parties have got to be consulted. Here the parties are only a conglomeration of individuals who act according to the interests involved, one dragging one side and the other the other side, and the party does not go very much further. Consequently it would have been more advisable if the Government, instead of merely contenting themselves with consulting the party leaders, had left it to the free independent vote of this House. I submit that that committee would command greater confidence. It would be in a better and more independent position than the position referred to by Mr. Rangachariar in connection with the interview with the Commander-in-Chief. After all human nature is human nature. I shall not detain the House at any length at the fag end of the day but this committee is a most unsatisfactory committee. Whether this House passes this motion or not, whether my friend Mr. Sarda takes his allowances or credits them to the Government, what I respectfully submit is that the Government should abandon this project. Let this House either in the Simla session or tomorrow elect its Members and leave the matter to them. If such a procedure is adopted, that, I submit, will command the confidence of the country.

**Mr. B. Das** (Orissa Division: Non-Muhammadan): The last two speakers have already made observations which are against the best Parliamentary traditions of party formation. My Honourable friend Mr. Gunjal expressed certain views and asked the Nationalists to follow non-co-operation. I am not only a nationalist in this House. I am a nationalist outside this House, and as a nationalist I have always responded to the Government call for co-operation. My creed has not been non-co-operation. Otherwise I should have been at Karachi today.

**Mr. K. Ahmed:** This is simply imitation.

**Mr. B. Das:** I do not mind my friend. He does not belong to any party. My friend Mr. Gunjal and Raja Bahadur Krishnamachariar in the suggestions they made were not following the well known Parliamentary practice and tradition. I for one will not accept a single nomination from the Honourable the Finance Member or the Treasury Benches and I can say of several Members of my party that nobody likes to accept any nomination or to come in by the back door. I have had no opportunity to talk to the Honourable the Finance Member as to why it was necessary to have a retrenchment advisory committee of such huge proportions. I find that my name has been given by the leader of my party and if I were there to advise, I would have advised that the Retrenchment Committee should be a small one and that it should work in the way suggested by my friend, the Deputy Leader of the party, Mr. Ranga Iyer. If other Members want to cast aspersions on their colleagues, they must do it in the party room or outside the floor of this House. It is not fair to say that we have ulterior motives, and I challenge anybody in the party to say that I am not a nationalist.

**Mr. K. Ahmed:** Your party people have no confidence in you.

**Mr. B. Das:** My friend does not belong to any party and he does not understand party discipline. I have never resorted to non-co-operation. I have never begged at the Government door to be a member of any Commission, not even the Royal Commission on Labour. The creed of my party is responsive co-operation and the success of that creed is being proved today. I find that the whole Congress is coming over to my creed, when they agreed to the peace terms of the Viceroy and to join the Round Table Conference. For Mr. Gunjal or any other friend to talk of non-co-operation is simply begging the question.

**Mr. A. Das** (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): I had no mind at first to take any part in this debate, but after hearing the various speeches, I cannot help observing that the appointment of this Retrenchment Committee is like putting the cart before the horse. We had a very vigorous Budget debate in this House. We all tried our best to reduce the Budget by 2 crores and a quarter. The Government Members at first said that not a single pice could be reduced. Afterwards they came to this decision. They said, "Very well, we will reduce a crore. It is a big amount. We cannot reduce a single pice more". Later on, when more pressure was brought to bear on them, they said, "Very well, we will reduce another 50 lakhs". We demanded a cut of 2½ crores. The Government Members were willing to allow 1½ crores. As to the remaining portion, the Honourable the Finance Member said quite frankly more than once that his papers are open to inspection by every Member of this House and that no further retrenchment was possible. Therefore I submit

that, before any Retrenchment Committee is appointed, its powers must be defined. On the one hand it is alleged that you cannot touch a single soldier, that you cannot reduce the Army, so far as the Army Budget is concerned, that you cannot make any change in the Territorial Force or the Auxiliary Force or the regular Army. That means that so far as the fifty crores are concerned, the Retrenchment Committee cannot do anything with regard to that. Then again it is alleged that the Retrenchment Committee will not be able to touch the Civil Servants as their pay is on a contract basis. Their number is already it is said less and the work is more. Therefore, there is another difficulty for the Retrenchment Committee to work in that direction. Therefore, Sir, before I ask my Honourable friends to work with any honesty (Laughter),—I mean with any efficiency—on the Retrenchment Committee, it is necessary that the Honourable the Finance Member should define what would be their powers. Would they be able to propose—and would the Government consider favourably any proposal—anything concerning the Army, the Civil Service, and so on? If they simply say, “No, you cannot go into these things; these are reserved subjects, and nobody will have any hand in it”, and if the object of appointing a Retrenchment Committee is to get an endorsement from Honourable Members of this House that they agree with the Government's present Budget estimates, then I am against it. But if the real object of appointing a Retrenchment Committee is to enable Members to consider the position with regard to the Army as well as other items of expenditure on the civil side, then I submit it is useful work which may be done by the Committee; and therefore this is the view that I wish to put forward for the consideration of the Honourable the Finance Member.

**Some Honourable Members:** The question may now be put.

**The Honourable Sir George Schuster:** Sir, I think that this debate has shown that the proposal embodied in the Resolution that I have just moved has not been properly understood. The Committee which is to be appointed, if the House accepts the Resolution, is nothing more than a means of keeping the Government in touch with this Assembly on the whole question of retrenchment. Honourable Members will realise that we cannot discuss the details of a retrenchment plan with the whole House in session. Also the session is now coming to an end. The Government's purpose in taking this course was to provide means for keeping in touch with the Assembly and working out, in close contact with selected representatives of the Assembly, its own proper plan for retrenchment. This Committee is not designed itself to do the work of retrenchment, but simply to consult with the Government in devising means as to how that work is to be done. Now as regards the Government's share or interest in this matter, I should like again to emphasise that, throughout, my own endeavour has been to find out what are the wishes of the House on this question of a retrenchment enquiry. When I put forward the proposal in my Budget speech, I made it perfectly clear that we would only proceed with the proposal if it was approved by the House. When I found that, on reconsideration, the House did not like that proposal, I endeavoured to find out what really would meet their wishes. Now it would have been perfectly easy for the Government—and I daresay it might have been a better course—to lay down their plan and to say, “This is what we are going to do, and this is what we think should be carried out”, but, in



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the present circumstances, in the present stage of constitutional development, I thought that it would be a more appropriate line to take that we should endeavour to find out really what Honourable Members wanted. The proposal that has now been put forward represents the result of discussions with the leaders of the various parties, and if that method of procedure is criticized, I should like any Honourable Member who criticizes it to suggest to us how else we can proceed in these matters. If Honourable Members on the unofficial Benches do not organize in parties and do not give us the opportunity of discussing matters in detail with Party Leaders, I confess I do not know how we are to proceed in matters of this kind when our intention is to ascertain the wishes of the House and to carry out those wishes. We on these Benches are always being blamed for not being responsive, but when we do make an effort in that direction, I am afraid my own experience is that we please nobody. That, however, is a lesson of which perhaps advantage should be taken in the future.

Sir, a good deal has been said on this matter which I must say is most unfair to several of my Honourable friends opposite. I should like to make it clear that the names on this list represent names which were given to me by the Party Leaders. I should like to make it clear that I have not been approached by a single individual in connection with this matter. The whole thing has been settled by the Party Leaders; and there are no Members in the House who have been trying to approach me and to get a seat on this Committee . . .

**Mr. K. Ahmed:** Then how is it that the names of non-party men are mentioned?

**An Honourable Member:** They were suggested.

**The Honourable Sir George Schuster:** I wish entirely to endorse what was said by my Honourable friend, Mr. B. Das, that, so far as he is concerned, I had no word with him on this matter; and I repeat that there is not a single Member on this Committee who has gained his place on it as a result of approaching me. (Hear, hear.) Now, Sir, I do not think it would be desirable for me to go back again over the whole range of the Budget debate as to what I said about the possibilities of retrenchment, as to my alleged changes of attitude on that matter, and so on, which were dealt with so eloquently by my Honourable friend, Mr. Ranga Iyer. I would only ask him to read again all my speeches, and I venture to say that he will find that from beginning to end they have been entirely consistent; and in order to give him the key to my speeches for him to arrive at that conclusion, I wish to ask him and a good many other Members opposite, who have spoken I think with a good deal of misunderstanding of the position, I wish to ask them to make a distinction, between what it was possible for us to do in connection with the current Budget and what it may be possible for us to do in connection with the Budget next year or in connection with the Budgets of two or three years hence. My whole argument was that, as far as the current Budget was concerned, there was no room for substantial immediate further cuts; but I have never had any doubt—in fact I have taken exactly the contrary attitude—I have never had any doubt that this is a time when all who have the interests of India at heart should sit down and review the situation and see how the

future expenditure of the country can be adjusted to the present level of prices, on the supposition that the present level of prices is to be permanent. I say that that is a problem of the very greatest difficulty, and it requires the whole-hearted effort and co-operation of everybody who can help towards the attainment of the desired end.

Now on this question of whether this Retrenchment Committee is to be appointed or not, I confess that, for our own part, it is in a sense a matter of indifference. I intend to pursue a definite course whether this Retrenchment Committee is appointed or not. I should, I believe, be greatly aided if it is appointed. But if any Honourable Members have any suspicion that it is a dodge to relieve ourselves of responsibility, or to put the Opposition into difficulties, I would far rather that they did not participate in it at all. I think that what has been said on that aspect of the matter is most unfair. It was even suggested by one speaker that they regarded the original offer as a dodge to divert attack on the Government's Budget proposals, and that it was not until the Budget proposals were finally done with that they began to conceive that there was a possibility that I was honest in what I said about it. Sir, I consider that to be most unfair. Our intention has always been to do what we can in this direction. I have always meant business in this matter and, as I have said already, whether Honourable Members come in and help us or not, we shall pursue our efforts to the utmost of our ability. I hope that they will come in; I hope that they will help us; but let all those, who have spoken in that atmosphere of suspicion which I so much deplore, have nothing whatever to do with this Committee. I rely on the co-operation of those who do us the honour of thinking that we are sincere in this matter. (Applause.)

**Mr. President:** The question is that the following Resolution be adopted:

"This Assembly recommends to the Governor General in Council the appointment of an advisory committee, to be nominated by the Governor General, composed of non-official members of the Assembly, non-official members of the Council of State, and 2 officials, to consult with and advise the Government as to the personnel of the Retrenchment Committee or Committees to be appointed, as to the methods to be followed in the conduct of the retrenchment inquiries to be pursued by such Committee or Committees and as to the scope and purpose of each line of inquiry."

The motion was adopted.

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#### RESOLUTION *RE* APPOINTMENT OF A COMMITTEE TO ADVISE ON THE PURCHASE OF THE BENGAL AND NORTH WESTERN AND ROHILKUND AND KUMAON RAILWAYS.

**The Honourable Sir George Rainy** (Member for Commerce and Railways): Sir, I move:

"That a committee consisting of Dr. Ziauddin Ahmad, Mr. B. N. Misra, Mr. Muhammad Azhar Ali, Mr. M. Maswood Ahmad, Mr. Gaya Prasad Singh, Pandit Ram Krishna Jha, Rai Bahadur Sukhray Rai, Lala Rameshwar Prasad Bagla, Lala Hari Raj Swarup, Mr. Muhammad Anwar-ul-Azim, Mr. E. Studd, Mr. L. V. Heathcote, the Honourable the Finance Member, and the Honourable the Railway Member

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be appointed to consider what action should be taken when the opportunity to purchase the Bengal and North Western and Rohilkund and Kumaon Railway systems occurs on the 31st December 1932, and to make recommendations that the report of the Committee be submitted to this House by the beginning of the next session; and, that the number of members of the committee necessary to form a quorum shall be six."

Sir, I do not think it is necessary for me to make anything of a speech in moving this motion. As the House is well aware, an opportunity  
 5 P.M. will occur to purchase these two railway systems, the Bengal and North Western and Rohilkund and Kumaon Railways, at the end of the year 1932, and, if so, notice of the intention to purchase must be given before the end of the year 1931. Before Government make up their mind what their attitude will be, it is their desire to have the advice of a Committee of this House, and the names of the Members of the Committee which I have read out have been settled in consultation with the Party Leaders. It will be necessary that the Committee should submit its report at the beginning of the next session, because the next session will be the only possible opportunity on which the House as a whole will be able to express its opinion before the opportunity to give notice passes. I think the important and final meetings of the Committee are likely to be held in a week or weeks immediately preceding the opening of the session, but it had been my desire, if possible, that there should be a preliminary meeting now, so that we might ascertain from the Members on what particular points they would desire to have information in order that they might be in a position to give their opinion on this subject. Owing to the fact that Honorable Members are now leaving Delhi rather rapidly, I am not quite sure whether it will be possible to hold a meeting. If not, what we shall do is to write to all the Members of the Committee at once and ask them to let us have their suggestions as to the information they would like to have with the least possible delay. I think, Sir, that exhausts all I have to say on the subject and I move my motion.

**Mr. C. S. Ranga Iyer** (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): In supporting this motion I want to be as brief as, possibly, briefer than, the Leader of the House. Sir, I do not think the Government have acted too soon in the matter of appointing a committee to consider the purchase of the two notoriously, if I may say so without meaning more offence than the word implies, I do not say, mismanaged, railways in India, but I do say notoriously uncomfortable railways in India from the passengers' point of view. Sir, the Rohilkund and Kumaon Railway is as bad as the Bengal and North Western Railway from the passengers' point of view, and almost in every Railway Budget discussion, except perhaps in the Budget discussion this year, we have criticised these railways very severely. It is a matter for joy that these criticisms have not fallen on deaf ears, because the demand had constantly been made by us that the Government should make up their mind as soon as an opportunity offered itself to purchase these two railways. Therefore, Sir, I do hope and trust that the Committee will do its work as quickly as possible and that the purpose which we have in view will be accomplished as soon as possible.

**Mr. N. M. Joshi** (Nominated Non-Official): Sir, I wish to say only one or two words on this Resolution. The Bengal and North Western Railway

makes a very good profit, still it is the only one railway on which the conditions of life and work for the employees are far from satisfactory. I would like therefore the Members of this Committee to remember this fact and go into the conditions of the life and service of the employees of this railway. The railway is also very hostile to the organisation of the employees. Once I made an effort to get the Union of the employees recognised through the kind offices of my friend Mr. Parsons. The Railway Agent, on account of the advice received from Mr. Parsons, seemed to change his attitude but afterwards he did nothing to recognise the Union. Sir, there is a great disadvantage in leaving these private companies to run railways in India. In the first place, in the case of these private employers, the Railway Board has very little control in the matter of conditions of life and work of the employees. I therefore suggest to the Members of this Committee that they should come to no other conclusions but that the Railway should be acquired by the State and should be run by the State. From the point of view of the general public policy, it is a dangerous thing that we should allow our railways to be managed by foreign companies. Although the Government have appointed a Committee to consider this question, the Committee should not come to any other conclusion except that the Railway should be acquired by the State and should be run by the State.

**Mr. K. Ahmed:** That will be done.

**The Honourable Sir George Rainy:** I do not think it is necessary for me to reply.

**Mr. President:** The question is:

"That a committee consisting of Dr. Ziauddin Ahmad, Mr. B. N. Misra, Mr. Muhammad Azhar Ali, Mr. M. Maswood Ahmad, Mr. Gaya Prasad Singh, Pandit Ram Krishna Jha, Rai Bahadur Sukhray Rai, Lala Rameshwar Prasad Bagla, Lala Havi Raj Swarup, Mr. Muhammad Anwar-ul-Azim, Mr. E. Studd, Mr. L. V. Heathcote, the Honourable the Finance Member, and the Honourable the Railway Member be appointed to consider what action should be taken when the opportunity to purchase the Bengal and North Western and Rohilkund and Kumaon Railway systems occurs on the 31st December 1932, and to make recommendations that the report of the Committee be submitted to this House by the beginning of the next session; and that the number of members of the committee necessary to form a quorum shall be six."

The motion was adopted.

The Assembly then adjourned *sine die*.



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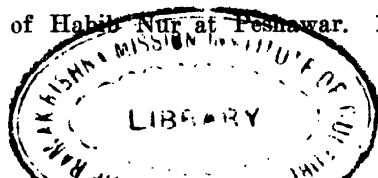
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